

CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE
ON DISARMAMENT

ENDC/PV.213
3 September 1964
ENGLISH

OF MICHIGAN

NOV 11 1964

DOCUMENT
COLLECTION

FINAL VERBATIM RECORD OF THE TWO HUNDRED AND THIRTEENTH MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 3 September 1964, at 10.30 a.m.

Chairman:

Mr. A. GOMEZ ROBLEDO

(Mexico)

PRESENT AT THE TABLE

Brazil:

Mr. A. CORREA do LAGO

Mr. E. HOSANNAH

Bulgaria:

Mr. C. LUKANOV

Mr. G. GHELEV

Mr. T. DAMIANOV

Mr. I. BOEV

Burma:

U SAIN BWA

U HTOON SHEIN

Canada:

Mr. E.L.M. BURNS

Mr. S.F. RAE

Mr. R.M. TAIT

Mr. C.J. MARSHALL

Czechoslovakia:

Mr. M. KLUSAK

Mr. V. VAJNAR

Mr. A. MIKULIN

Mr. J. CHMELA

Ethiopia:

Lij Mikael IMRU

Ato S. TEFERRA

India:

Mr. R.K. NEHRU

Mr. K.P. LUKOSE

Mr. K. NARENDRANATH

Italy:

Mr. F. CAVALLETTI

Mr. R. GUIDOTTI

Mr. S. AVETTA

Mr. G.P. TOZZOLI

PRESENT AT THE TABLE (Cont'd)

Mexico:

Mr. A. GOMEZ ROBLEDO

Mr. M. TELLO

Mr. J. MERCADO

Nigeria:

Mr. L.C.N. OBI

Mr. G.O. OJO

Poland:

Mr. J. GOLDBLAT

Mr. E. STANIEWSKI

Mr. A. SKOWRONSKI

Romania:

Mr. V. DUMITRESCU

Mr. E. GLASER

Mr. C. UNGUREANU

Mr. I. IACOB

Sweden:

Mr. P. HAMMARSKJOLD

Mr. B. VEGESACK

Mr. U. ERICSSON

Mr. J. PRAWITZ

Union of Soviet
Socialist Republics:

Mr. S.K. TSARAPKIN

Mr. L.I. MENDELYEVICH

Mr. M.A. ANTIASOV

Mr. I.M. PALENYKH

United Arab Republic:

Mr. A.F. HASSAN

Mr. A. OSMAN

Mr. S. EL FATATRI

Mr. M. KASSEM

United Kingdom:

Sir Harold BEELEY

Mr. J.G. TAHOUDIN

Miss E.J.M. RICHARDSON

Mr. R.C. BEETHAM

PRESENT AT THE TABLE: (Cont'd)

United States of America:

Mr. W.C. FOSTER

Mr. C.H. TIMBERLAKE

Mr. D.S. MACDONALD

Mr. R.A. MARTIN

Special Representative of the
Secretary-General:

Mr. D. PROTITCH

Deputy Special Representative
of the Secretary-General:

Mr. W. EPSTEIN

The CHAIRMAN (Mexico) (translation from Spanish): I declare open the 213th meeting of the Conference of the Eighteen-Nation Committee on Disarmament.

First of all I should like to welcome most cordially the new representative of the United Kingdom, Sir Harold Beeley, who comes here for the first time to take part in our activities. I should also like to express my pleasure at seeing again among us Mr. William Foster, representing the United States, and Mr. Joseph Goldblat, representing Poland. I feel sure that I express the feelings of all my colleagues when I say that the presence of the new representative of the United Kingdom and the return of the other two representatives I have mentioned, from the United States and from Poland, will certainly contribute to the greater success of our labours.

Mr. OBI (Nigeria): First of all I wish to join in welcoming the new representative of the United Kingdom, Sir Harold Beeley, and to say that we look forward to continued co-operation between our two delegations. I should like to welcome back the representative of Poland, whom we are pleased to see again at this table. I should also like to welcome back the leader of the United States delegation Mr. Foster, and the Czechoslovak representative.

I shall now proceed to discuss the subjects which are on our agenda for today. I should like to express the deep satisfaction of my delegation that our co-Chairmen have at last yielded to the pleas of many delegations to have these United Nations resolutions (ENDC/139) fully discussed. The Committee will no doubt recall that I have often taken the liberty of directing its attention, and in particular that of the co-Chairmen, to the directives of the United Nations General Assembly in this regard. Therefore we are pleased that our Committee is carrying out the instructions of the United Nations General Assembly; although we regret that we are somewhat tardy in doing so and are performing the tasks in so perfunctory a manner that we, for our part, seriously wonder whether the Committee can claim it has carried out as faithfully as it could not only the letter but also the spirit of the United Nations General Assembly resolutions.

Indeed, our deliberations on these United Nations resolutions a fortnight ago (ENDC/PV.209) demonstrated, if nothing else, the necessity for discussing the subjects, and highlighted the usefulness of such discussions. I shall take as an example the discussions relating to a comprehensive test ban, with which I have dwelt at considerable though, I hope, not tiresome -- length at past sessions and at the current session.

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Some of the nuclear Powers and their allies seized the opportunity offered by the discussion to reaffirm their dedication to their undertaking under the Moscow partial test-ban Treaty (ENDC/100/Rev.1) to strive relentlessly for a comprehensive test ban. It is, of course, true that, with the unsophisticated gaze of the child in the story about the king's new clothes, my delegation fails to see what vigorous and genuine efforts are being made by the nuclear Powers towards this end. Only four weeks ago we celebrated, with great fanfare and back-patting, the first anniversary of the historic Moscow Treaty; but the expectations of humanity for an agreement on a comprehensive test ban are yet to be realized.

Our deliberations a fortnight ago also gave the nuclear Powers and their allies the opportunity of restating their well-known positions. The Soviet delegation and its allies repeated their well-known thesis that national control networks are adequate for detecting and identifying underground tests as is the case in the three environments covered by the Moscow Treaty. The Western delegations continued to maintain their equally well-known contrary view that the state of their scientific knowledge could not as yet permit them to enter into such an agreement without a minimum of on-site inspection. Over and above hearing once more such clarifications of position, my delegation was pleased to receive at least partial reaction from one nuclear side to the suggestions which we had made in regard to exploring the possibility of a threshold agreement, and the possible usefulness of discussing the subject of underground tests in another forum as well.

The Committee will, of course, recall that this delegation has often suggested that, in view of the substantial obstacles in the way of achieving accord on a comprehensive test ban, while that goal should be assiduously pursued, serious consideration should be given to the possibility of extending the Moscow Treaty by an agreement on underground tests up to a threshold above which such tests are demonstrably identifiable. We naturally pricked up our ears when the United Kingdom representative, Mr. Tahourdin, gave the considered view of his Government on this question (ENDC/PV.209, pp. 11 et seq.); and we listened with particular attention to Mr. Tahourdin when he quoted what Mr. Butler, the United Kingdom Foreign Secretary, said in the House of Commons on 13 July

"I am advised that it would be very difficult to define a threshold above which scientists would be prepared to assert that all underground tests

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could be conclusively identified, unless it were so high as to permit the great majority of tests to continue." (Official Report, Vol. 698, No. 141, col. 164).

My delegation does not regard that as a wholly negative response, if I may say so, to our constructive suggestions. We are satisfied that Mr. Butler, with the best scientific advice available to him -- and we are not unaware of the prodigious progress made in the field of seismology in the United Kingdom -- does not completely rule out such an agreement. We have noted that such an agreement would be possible although it might permit "the great majority of tests to continue." We are therefore strengthened in our conviction that this is a matter which deserves closer study and further exploration, either in this Committee or, better still, in an appropriate forum. That could well include the reactivation of the Sub-Committee on Nuclear Tests, on the lines suggested by me at previous meetings.

If we continue to press for an agreement banning all tests as actively as we did two years ago, it is because, like Andrew Marvell in the poem "To His Coy Mistress", we hear Time's winged chariot hurrying near. We are aware that every day of delay in reaching agreement on a comprehensive test ban undermines the very structure of the Moscow Treaty, so laboriously arrived at and so warmly applauded as a significant break-through and harbinger of good news. Every day of delay further affects most adversely, and indeed minimizes, the chances of getting an agreement on non-dissemination and, in particular, of having it universally accepted and respected by all States. You, Mr. Chairman, were most eloquent on this subject -- as your delegation has always been, both on this and on non-dissemination -- at our meeting four weeks ago (ENDC/PV.205, pp. 12 et seq.).

For our part, we have already, as long ago as 24 January (ENDC/PV.159, p.12) and also at subsequent meetings, expressed our concern at the possibility of radioactive contamination resulting even from underground tests, as contended by some reputable scientists. But my delegation's conception of our task here goes even beyond this. We continue to be opposed to underground tests -- as indeed to all weapon tests -- because as a means of perfecting more deadly weapons they are a continuation of the arms race in its most ugly and deadly aspect and, as such, are contrary to our aims here and the expectations of millions of people outside this chamber.

We should like, therefore, to ask the nuclear Powers seriously to intensify their efforts to arrive at an early agreement in this regard and to explore all

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possibilities of achieving this, including a serious consideration of the various views expressed by me, today and in earlier statements, as well as those of representatives of other non-aligned States. We should like to repeat what we said on 1 August 1963 in welcoming the Moscow Treaty:

"Meanwhile we venture to hope that there will be reasonable restraints on underground testing, and that the present lull in underground blasts will not only continue but will be regularized soon in a formal comprehensive nuclear test ban." (ENDC/PV.149, p.8)

It is true that the lull referred to in that quotation has been punctuated a few times by nuclear blasts, and our hopes for a formal comprehensive test ban are yet to be realized. The need for restraint on underground testing not only remains but becomes more urgent with every day succeeding the Moscow Treaty and with the resulting diminution of fervour for and slackening of restraints on potential nuclear aspirants. I shall take the liberty of reminding the Committee of United Nations General Assembly resolution 1762 (XVII) of 6 November 1962 (ENDC/63), which condemned all I repeat, all -- nuclear weapon tests and asked that such tests "should cease immediately and not later than 1 January 1963". It is hardly necessary to stress the continuing validity of the United Nations General Assembly's injunctions or to remind ourselves that this resolution -- adopted by an overwhelming majority of the General Assembly -- has never been rescinded.

Therefore we look to the nuclear Powers to utilize all means in their power to restrain themselves from making further tests underground. We also look to them to fulfil the obligations assumed by them in the preamble to the Moscow Treaty. Indeed, we trust that during the period when our work will be reviewed by the United Nations General Assembly the nuclear Powers will seriously consider the matter, either in a tripartite or in a bipartite manner, as in the winter of 1962 -- but, we trust, with greater success.

I now proceed to that other most important resolution of the United Nations General Assembly. I refer, of course, to General Assembly resolution 1909 (XVIII), which requests our Committee to --

"... study urgently the question of convening a conference for the purpose of signing a convention on the prohibition of the use of nuclear and thermonuclear weapons." (A/RES/1909 (XVIII), ENDC/139)

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My delegation attaches the utmost importance to that resolution. The Government of the Federal Republic of Nigeria not only gave a positive reply to the Secretary-General's inquiry, but also expressed its considered opinion that such a convention would be useful. My Government declared:

"The Nigerian Government has always been of the view that the use of nuclear and thermonuclear weapons in the event of war would constitute the greatest disaster to mankind and civilization, and by the indiscriminate scope of the destruction and suffering they entail would be wholly contrary to the rules of international law and the yearnings of peoples everywhere. The Nigerian Government is therefore convinced that an effective international convention on the prohibition of the use of nuclear and thermonuclear weapons for war purposes would constitute an important advance towards the goal of world peace and security which is the primary purpose of the United Nations." (A/5174/Add.2, p.3)

My Government concluded by declaring its agreement, in principle, to the convening of such a conference, provided that the major world Powers which at present had such weapons at their disposal were prepared to participate.

It was therefore with considerable interest that we followed the discussions here two weeks ago and listened to the eloquent statement of our Ethiopian colleague on the usefulness and necessity of convening such a conference (ENDC/PV.209, pp. 5 et seq.). Since our views as expressed in the General Assembly and elsewhere and those of our Ethiopian colleague are identical, we shall forbear from repeating them and shall confine ourselves to scrutinizing closely some of the arguments, especially the opposing arguments, advanced on the subject.

We are all agreed that, while all armaments are to be viewed with disfavour and all forms of warfare deplored, nuclear weapons by their very nature command special attention; and that, reprehensible as all warfare is, nuclear warfare is the most reprehensible. A class of weapons which could inflict unlimited damage on millions of innocent people, combatants and non-combatants alike, which could seriously jeopardize the lives of present and future generations, which could perhaps even adversely affect the physical structure of our planet, undoubtedly exceeds even the scope of war and, as such, is contrary to the rules of international law and the laws of humanity.

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The use of nuclear and thermonuclear weapons is a violation of the United Nations Charter and a most heinous crime against mankind and civilization. There is hardly any need to recall the unspeakable horror with which the whole world responded to the first use of the atom in warfare. And that was a world only too familiar, if not saturated, with the horrors of two great conventional wars that had taken their heavy toll of men and women and resources; and the bomb was a crude affair by comparison with the sophisticated and varied types of weaponry in the arsenals of the nuclear Powers today.

Indeed, humanity has never passively acquiesced in the use of unlimited means of destruction by States to attain any ends, no matter how just the cause. Throughout the years, even as long ago as the sixteenth century, nations and humanists have sought to come to terms with problems similar to those posed by nuclear weapons. Efforts have been made to limit the damage which countries could inflict on each other, and various types of warfare, especially chemical and bacteriological, have been prohibited by numerous international declarations and treaties, such as the Declaration of St. Petersburg, the Declaration of the Brussels Conference, the Convention of The Hague, and the Geneva Protocol. Many States members of this Committee were parties to those conventions, although the necessary ratification was withheld in some cases.

It is seen from such a background -- the abhorrence with which mankind has viewed certain types of warfare throughout the ages and the undeniable fact that mankind in its inevitable march of progress has almost attained the point of overreaching itself and has sown the seeds of its own destruction -- that this question, we submit, is to be considered. It has been on the basis of that background that my delegation has examined the objections of certain delegations and governments to a convention prohibiting the use of nuclear and thermonuclear weapons. We regret to state that we remain unconvinced by those objections. We shall now proceed to deal with a few of the more substantial objections which have been raised to the convention, and even to the idea of convening a conference for such a purpose. We have studied very carefully the statements of representatives of the great Powers, as well as the replies made by those Powers to the Secretary-General.

One of the principal arguments advanced against the proposed convention is that, as long as nuclear weapons exist, and even as long as the danger of war exists, we should be deluding ourselves if we refused to acknowledge that the danger of nuclear war also existed. With all due respect my delegation would like to stress that we

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do not harbour any such illusions. Indeed, we have long been of the view that the only truly effective safeguard against the outbreak of nuclear war is the total elimination of the diabolical weapons from the arsenals of States.

Nevertheless we feel that, while striving relentlessly for that objective, we must take all possible precautionary steps to minimize the danger resulting from the existence of those weapons. It is for that reason that we have given our fullest support to such preliminary measures as an agreement on non-dissemination, a comprehensive test ban and, more directly, measures to reduce the risk of war. Even the United Nations General Assembly resolution calling for the convention makes it clear that that is a necessary precautionary measure. The second paragraph of the preamble to resolution 1653 (XVI) reads as follows:

"Gravely concerned that, while negotiations on disarmament have not so far achieved satisfactory results, the armaments race, particularly in the nuclear and thermonuclear fields, has reached a dangerous stage requiring all possible precautionary measures to protect humanity and civilization from the hazard of nuclear and thermonuclear catastrophe". (A/RES/1653(XVI))

There is no need to add anything to that most eloquent testimony of what the world expects from such a convention. I would even refrain from saying that one could as well argue that as long as mankind, in its far from perfect state, still nurtures prejudices and retains somewhat belligerent tendencies, there is little point in wishing, least of all striving, for general and complete disarmament, as we have all been doing here. I shall, however, point out that it is clear from this resolution that due note has been taken of disarmament negotiations -- far from the resolution being overtaken by events such as the establishment of our Committee, as has been suggested (ENDC/PV.209, p.38).

It has also been argued -- I believe, as a corollary to the principal objection advanced by those opposed to the convention to which I have already referred -- that such conventions are unlikely to produce any useful results and could even give rise to a dangerous sense of false security. To buttress this line of argument, Mr. Burns of Canada cited history to show that in a crisis when a nation considers that its vital interests are in jeopardy it will make use of whatever means are available to protect them, despite any previous commitment to the contrary. Mr. Burns went on to declare:

"One has only to look at previous declarations prohibiting the use of

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specific types of weapons to see how little value they have had when put to the test in wartime." (ibid., p.37).

I am most reluctant to proceed on this path of history with our Canadian colleague. I shall merely say that my interpretation -- and indeed recollection --, particularly of recent history, is that any such infringement as that indicated by Mr. Burns has in fact boomeranged on the perpetrator. The moral indignation universally aroused by the perpetration of such an infamous deed has often mobilized opinion in favour of the victim at the expense of the guilty State, no matter how right its cause originally was. Indeed it seems to my delegation that the importance of public opinion and world moral pressure has been either overlooked or underestimated in the consideration of this measure.

This is a rather strange development when we realize that in the final analysis, in the absence of an effective world order, the mainstay of most international obligations is essentially a moral one. The demand for effective guarantees, if pursued to its logical conclusion, would have made some previous agreements, including recent ones in the field of disarmament, virtually impossible to attain. Most international obligations, in our view, have proceeded, rightly, on the assumption that when a sovereign State freely enters into an agreement it intends to respect it. Of course, my delegation does not say that all possible guarantees should not be sought. All we say is that the imperfections of our present world should not be used to deprive humanity of the only possible relief it can hope for now in a world bursting with deadly weapons in the arsenals of States.

A final objection with which I propose to deal is that such a convention would in fact be positively dangerous, as the existence of such a declaration might breed a false impression that aggressive action could be undertaken without risk of nuclear war. In this connexion, I would submit that the nuclear Powers could attach whatever conditions are necessary to insure the world against such abuse. Thus it might be possible to link the convention with adequate measures to reduce the risk of war, a non-aggression pact between the NATO States and the Warsaw Treaty States, and other regional or multilateral non-aggression pacts to be subscribed to by all States, including the members of the United Nations. Such legitimate fears -- and we must confess that we consider them valid -- could be well taken care of at the conference called for the purpose of signing a convention. We feel that such an objection, far from weakening the case for a conference, reinforces it, as it shows that a serious consideration of the problem would be useful.

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Our colleague from the United Kingdom, Mr. Tahourdin, in discussing this subject a few weeks ago, made a point which my delegation considers interesting and which if fully developed and clarified could even now have favourable repercussions all over the world. Mr. Tahourdin said:

"First, we must all recognize that so long as these weapons exist, and indeed so long as the danger of war exists, we should delude ourselves if we refused to acknowledge that the danger of nuclear war exists also. If, despite all our efforts to the contrary, we were to be faced with the dreadful possibility of an outbreak of war between the nuclear Powers, it would be vain, it seems to us, to imagine that a prohibition on the use of nuclear weapons would be the deciding factor. The decision whether or not to use nuclear weapons in that terrible situation would not be governed, or even mainly governed, by the existence of such a declaration alone. I think that all of us seated here must acknowledge that such a decision would in fact be taken as a result of a calculation in regard to the intentions of the other side."

(ENDC/PV.209, p.13)

My delegation is very much interested in this statement by our United Kingdom colleague, for as far as we know this is the first time it has been implied that nuclear weapons would be used by nuclear Powers only against themselves -- in short, a contest among giants all of whom are wearing iron gloves. My delegation, as we have stressed often in the past, is opposed, and continues to be opposed, to the use of nuclear or thermonuclear weapons no matter in what context. Nevertheless, if this crystallization of views to which I have referred is true -- and we should like a confirmation that this is so -- or would become apparent from our deliberations here, it would have most far-reaching and favourable repercussions on the arms race in general and the nuclear arms race and the question of non-dissemination in particular.

At our meeting on 19 March I took the liberty, while discussing an agreement on non-dissemination, to point out that the life of such an agreement -- that is, if and when we attain one -- would in fact depend on a few factors, which I then enumerated as follows:

"(1) that the armaments race should not continue unchecked, that its pace should be reduced, and that it should be halted if possible; (2) that serious efforts

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should be made towards nuclear containment; and (3) that physical destruction of some armaments, including missiles, should be undertaken." (ENDC/PV.176, p.16)

We should add, as a fourth and perhaps most important factor, an effective convention prohibiting the use of nuclear and thermonuclear weapons.

Realism and practical wisdom, as against idealism, have been adduced rather generously in objecting to the convention envisaged by resolution 1653 (XVI), which is the basis of our discussions. There is therefore hardly any need to apologize for using the same criteria and driving home a few truths -- and yet we do so most reluctantly. We feel constrained to emphasize that, as long as there are blood-curdling demands for the use of nuclear weapons -- be they tactical or strategic -- in limited or unlimited warfare, as long as these weapons continue to menace non-nuclear States, no matter what their aggressive inclinations; as long as there is no guarantee that such weapons would not be used against non-nuclear States, the life of any agreement on non-dissemination would be relatively short; no State would remain forever acquiescent in the face of such threats. It is clear that, if a State has reached the necessary industrial basis, it might take the necessary precautions to protect itself.

A convention of the type we have been discussing, therefore, would considerably bolster up an agreement on non-dissemination. Indeed, we would dare to suggest that both this convention and an agreement on non-dissemination would be in the long-term interest of the nuclear Powers themselves. History has shown that no State has ever possessed a lasting monopoly of armaments or the last word in weaponry, and I dare say it is not an unfair deduction to assume that nuclear weapons would be no exception.

Before concluding my remarks on this subject, I should like to express the hope that as, frankly, it has not been discussed thoroughly, the subject will be scheduled for further and more thorough discussion next year, unless of course the United Nations General Assembly, which referred it to us originally, has any other views, or unless we can agree -- and this I strongly urge the Committee to do -- to recommend to the General Assembly that a conference for signing such a convention be convened.

Having touched on the subject of non-dissemination, I will, with your permission, Mr. Chairman -- and I apologize for taking up so much time -- make a few further comments on the subject. Our views concerning this measure can be seen

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in the verbatim record of the meeting of 19 March (ENDC/PV.176, pp. 14 et seq.). We continue to attach the utmost importance to this measure. Indeed, we feel that it deserves the urgent attention of the Committee, and for this reason we are making the following suggestions.

As we have indicated in the past, we have noted the obstacles allegedly in the way of agreement on this measure -- notably the differences of view on the proposed NATO multilateral nuclear force. Our views on this can be found in the verbatim record of the meeting to which I have referred. We are of the opinion that, in spite of these difficulties, serious negotiations for the purpose of reaching an agreement should be begun. In this connexion we should consider it most helpful if either or both of the two super-Powers would provide, as a basis for negotiations, a draft treaty containing all the elements they consider to be absolutely necessary in such an agreement.

In this connexion I should like to draw the attention of the Committee to the report of working group 2 of the 12th Pugwash Conference, held in India in January 1964, which said inter alia that an agreement on non-dissemination must contain a provision to the effect that -

"... all nations presently possessing nuclear weapons should jointly undertake not to transfer these weapons or technical information relating to them to any other State or group of States."

To make it possible for the necessary negotiations on this subject to be conducted expeditiously and in the proper atmosphere, it might also be helpful if the arrangements which are contemplated at present and which are considered to be obstacles to agreement were suspended for a period of time to be limited by agreement between the two super-Powers and to cover the period during which the negotiations would be conducted.

The CHAIRMAN (Mexico) (translation from Spanish): At our meeting of 6 August I expounded (ENDC/PV.205, pp. 12 et seq) to you my Government's views on the underground nuclear tests referred to in General Assembly resolution 1910 (XVIII) (ENDC/139). Today, as on that occasion, in my capacity as Mexican representative, I should like to analyse the contents and significance of resolution 1909 (XVIII) (ibid.), which is included in our schedule of work.

In that resolution, which was adopted on 27 November 1963, the General Assembly requested the Conference of the Eighteen-Nation Committee on Disarmament to study "urgently" the question of convening a conference for the purpose of signing a convention on the prohibition of the use of nuclear and thermonuclear weapons and to report to the General Assembly at its nineteenth session. As my delegation sees it, that is a clear-cut and final mandate from the most representative body of the United Nations, and we do not even think that this point is open to discussion, since the terms of the resolution are so clear and categorical.

We can of course come to a variety of conclusions on that subject, for the General Assembly did not in any way restrict our freedom of judgment. One obvious conclusion would be that the convening of such a conference does not at present appear to be feasible. The one thing we cannot do is ignore the question without studying it, without pondering anew the factors favouring or militating against compliance with the resolution, be it only to reach once again the melancholy conclusion that the legal and political conscience of mankind has not yet matured sufficiently to decide to prohibit, once and for all and in toto, the use of nuclear and thermonuclear weapons.

That is the reason why the Mexican delegation has decided to intervene in the discussion on that subject which is included in today's schedule, especially after the authoritative and brilliant speech delivered a fortnight ago by the Ethiopian representative (ENDC/PV.209, pp. 5 et seq.), and today's no less eloquent contribution by the Nigerian representative. We do not think we can remain insensible to the considerations set forth by both representatives, which were inspired by the purest interests of peace and humanity.

For our part, we should like to approach the problem in a spirit of both realism and idealism, particularly as so much has already been said here about the alleged opposition between the two; for, as we see it, the undoubted opposition between the two extremes is not one of contradiction, in the sense that support for the one implies the absolute rejection of the other, but rather one of polarity, since the two terms,

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far from being mutually exclusive, are on the contrary complementary. Idealism and realism are thus the two poles towards which, in its unceasing march, the intellectual and moral progress of mankind has gravitated. The awareness of the immediate present, of available means and resources, which is proper to realism is just as necessary as the vision of the far future, of that which must sooner or later come to pass. In that vision lies the priceless service which idealism has always rendered as the perpetual spiritual motive force of history.

Turning now from those generalities to the concrete problem before us, and beginning as appropriate with a realistic approach, we consider that the first prerequisite for the conclusion of an international convention on the prohibition of the use of nuclear and thermonuclear weapons is, of course, the voluntary concurrence of at least a majority of the States members of the international community, especially those possessing such weapons. It is for those reasons that we fully subscribe to the following paragraph of the reply given by the Indian Government to the first inquiry opened by the Secretary-General of the United Nations in compliance with resolution 1653 (XVI):

"To be effective, a convention on the prohibition of the use of nuclear and thermonuclear weapons for war purposes would require the active support of all States, particularly of States possessing these weapons."

(A/5174, Annex II., p. 22).

If this is true of a convention, it is also true, for the same reasons, of the conference to conclude the convention. The conference must, in its turn, have the active support of those who agree, at any rate in principle, to become the signatories of such a convention.

However, the sad fact is that, although resolution 1653 (XVI), which contains an express declaration on the prohibition of the use of nuclear and thermonuclear weapons, received 55 votes in its favour (including that of Mexico), 20 States voted against it and 26 abstained. Moreover, as a roll-call vote was taken, we may add that the list of States voting against or abstaining includes no fewer than seven of the members of this Committee.

Furthermore, with the possible exception of one or two very special cases, the States voting against or abstaining maintained substantially the same attitude in their replies to the Secretary-General's inquiry. According to the information contained in his report (A/5174), out of 58 replies received only 29 were in favour of convening a special conference to sign the proposed convention, while another 26

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expressed a negative opinion, or doubted that such a conference would be opportune at present. Lastly, there were three replies (including that of Mexico) which the Secretary-General deemed it necessary to classify separately, for in substance they reserved a final opinion until the results of this Committee's work on that and kindred subjects should be known.

In compliance with a fresh request by the General Assembly, and in order to obtain as many opinions as possible -- an action approved in resolution 1801 (XVII) -- the Secretary-General undertook a second inquiry among the Governments of Member States. Twelve replies were received, which the Secretary-General embodied in his report of 17 September 1963 and which, in the Mexican delegation's opinion, did not substantially modify the general tenor of the first inquiry. Nevertheless, we consider that it is worth quoting the following paragraph from the Austrian reply:

"In order to ensure the success of this undertaking it would seem indispensable to have agreement amongst the major Powers, particularly the nuclear Powers, on the basic issues to be discussed and eventually resolved at the conference. If it should prove impossible to reach an agreement of this kind between the major countries concerned prior to the conference, it would seem the more urgent that disarmament discussions be continued and speeded up in order to arrive as soon as possible at the goal of general and complete disarmament." (A/5518, Annex II, p. 3)

As was only natural, the Secretary-General had to abide by the formal terms of the replies in dividing them into the three categories established in his first report. In this sense his classification is irreproachable, and we have no intention of questioning it. Nevertheless, we consider it worth pointing out that several, or perhaps many, of the replies classified as negative say fundamentally the same thing as the signatories of the three so-called reserved replies -- in other words, that the Eighteen-Nation Committee, as the most appropriate forum, should for the time being continue to discuss this subject, which in any case cannot be divorced from the other problems of general and complete disarmament.

However, the idea of convening a special conference is not formally rejected, still less -- and it is this which I particularly wish to emphasize -- the essential idea, whatever its means of realization, of placing the use of nuclear and thermo-nuclear weapons outside the law, that universal law which is constituted by the rights of nations. Within the context of general and complete disarmament and in no way as a single measure sufficient in itself, this is one of the desiderata which we should fix

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with greater enthusiasm than ever, as our goal. In the Mexican delegation's view it is inconceivable that international law should authorize the use of weapons inevitably entailing, as was stated here by the Ethiopian and Nigerian representatives, mass destruction or, to put it in another way, absolutely indiscriminate slaughter, when it is precisely in the conduct of military operations that there should be discrimination between combatants and non-combatants, between the guilty and the innocent.

Fully realizing that we shall attract the pitying smiles of certain strategists who may one day read this statement, we cannot but recall, as the Press has done during the last few days, that just a century ago, on 22 August 1864, in the City Hall of this noble city of Geneva, haven of peace, on the initiative of the Swiss citizens Henri Dunant and Moynier and under the presidency of General Dufour, the Red Cross Convention to improve the lot of soldiers wounded in battle was signed. For the first time in world history an international treaty enshrined the principle of respect, not merely for the innocent civil population -- which was taken for granted then --, but also for the armed adversary, once he has been put out of action through the hazards of war.

For the first time, too, as writers tell us, the concept of humanity was embodied contractually in international law. I wonder whether it is possible that after the lapse of a century we are going to undo what was done then, whether we are now going to expel this concept of humanity from international law. For that is what we should be doing, no more and no less, if we sanctioned the use of nuclear weapons.

I may be labouring under a misapprehension -- if so, I am open to correction by the party concerned --, but in some of the replies to the Secretary-General's inquiry I thought I detected an interpretation of Article 51 of the Charter to the effect that the inherent right of self-defence would, without further consideration as in the case of the right of reprisals, justify the use of nuclear weapons. In our opinion that is, to say the least, a very surprising interpretation. Why exterminate the population of the aggressor Power if it has directed its aggression only against our armed forces or our war material? Or do not modern conventional weapons, fortunately or unfortunately, constitute an adequate deterrent? All that Article 51 of the Charter authorizes is the repelling of aggression, not the annihilation of the innocent population of the aggressor Power.

Hence the Mexican delegation, fully aware -- as was shown by the brief summary I made just now -- that a considerable number of States, including some of the nuclear Powers, would not attend the projected special conference or in any case would not

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accede to any treaty elaborated by it, believe that this is not the right moment to convene such a conference. On this point our position is one of what is known here as realism. We likewise believe that a special conference must be held, as we have said before, within the context of general and complete disarmament -- that is to say, when the process of disarmament has already been effectively initiated in a form as yet impossible to predict.

But, having made these admissions, we very strongly maintain -- and we gladly accept the risk of being labelled as idealists in consequence -- that inevitably, at the right time and on the right occasion, an international treaty prohibiting the use of nuclear and thermonuclear weapons will be concluded, for that is the general desire of mankind. Consequently we must not bury this subject in the archives but retain it on our agenda, while keeping a weather eye open for possibilities which, while they may not exist today, are bound to present themselves in the future, for the honour and survival of mankind are at stake.

To sum up, our attitude is one of hopeful vigilance, and as such is as far removed from undue haste as from discouragement. In this connexion we should merely like to add that we, for our part, are not so pessimistic as perhaps some other delegations here in regard to the observance of international treaties. It is by and through these treaties that the international community, to which all our countries belong, has been sustained up till now in its ups and downs, in its crises of failure and in its crises of success.

Many documents could easily be cited to prove that commitments solemnly undertaken have so far been respected; but I have always been particularly impressed by the first paragraph of the Treaty signed by the three Cantons which made up the original Swiss Confederation: "It is honourable and conducive to public welfare to confirm in traditional form conventions whose objectives are peace and security.". Those impressive words were adopted on 1 August 1291, and for close on seven centuries have been acted on by the great nation which is offering us its hospitality. One day it will be regarded as honourable and conducive to public welfare for us to confirm in traditional form the absolute abhorrence of mankind for nuclear and thermonuclear weapons -- an abhorrence which has been so clearly expressed by the human conscience.

Why expect -- with undue pessimism, in our view -- that such a convention will be violated? Why not believe, rather, that it will be observed, as indeed the Geneva Protocol of 1925 on the prohibition of chemical and bacteriological warfare was observed by all the belligerents in the Second World War? It will be said -- and we

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shall not deny it -- that this Protocol was observed, at any rate by the aggressors, not so much out of respect for the pledged word as out of fear of reprisals; but, even if that was so, we do not see why such a motive -- much stronger in this case -- would not dissuade an aggressor from launching a nuclear attack for fear of terrible reprisals.

Last, but by no means least, we are proceeding irrevocably along a path of which the first milestone, the milliarium aureum, was resolution 1653 (XVI), which contains a solemn declaration by the United Nations that

"The use of nuclear and thermonuclear weapons is contrary to the spirit, letter and aims of the United Nations and, as such, a direct violation of the Charter of the United Nations".

As if that were not enough, the declaration adds that any State using such weapons - "... is to be considered as ... acting contrary to the laws of humanity and as committing a crime against mankind and civilization".

That, as we have said, is an irreversible stand and cries out for elevation to the status of an international treaty. But, even if it is not so elevated, it already constitutes international law as far as we are concerned, for it has in its formal legal aspect at least the same force as the other declarations of the General Assembly; it has exactly the same force as the Declaration of Human Rights. All such declarations are of course recommendations of the General Assembly under Article 10 of the Charter, and in law are no doubt less binding than a treaty or convention.

But international law is not confined to international conventions or treaties; it has other sources of equal or only slightly less importance, as is recognized in Article 38 of the Statute of the International Court of Justice. While formal sources may vary, the only true source, as jurists say, is the legal conscience of mankind which expresses itself in this or that way according to the circumstances, just as a spring may flow through several channels. That being so, what better expression of the legal conscience of mankind can there be than the Declarations of the General Assembly of the United Nations?

Hence we maintain that, while it would be desirable and even essential to raise that declaration to the status of an international treaty (to the same status, we repeat, as the Declaration of Human Rights), it already belongs irrevocably to the complex of the law of nations, and that the only possible direction for us is forward, not backward. It was not for nothing that the Secretary-General, in submitting his report on the inquiry, abandoned for once his impersonal attitude and said that he shared -

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"... the concern of the Members of the United Nations to continue the search for acceptable means of eliminating the possible use of nuclear and thermonuclear weapons". (A/5174, p. 2).

In fervently associating itself with that concern, the Mexican delegation does not believe that it is adopting an eccentric, extravagant or sectarian position, or that it is showing itself to be in any way an enemy of peace.

Mr. CAVALLETTI (Italy) (translation from French): First of all, my delegation would like to welcome Mr. Foster, who has resumed his place at the head of the United States delegation, and Sir Harold Beeley, who today assumes the leadership of the United Kingdom delegation and is taking part in our meetings for the first time. I am sure that Sir Harold's collaboration will be of great value to our Committee, and I wish the new head of the United Kingdom delegation every success in his work. I should also like to express the same sentiments to the new Polish representative, Mr. Goldblat.

The Italian delegation, after listening carefully to the speeches delivered today and a fortnight ago at our 209th meeting, wishes in its turn to make some comments on the General Assembly resolutions which are the subject of today's discussions (ENDC/139). As you know, there are quite a number of these resolutions, but they have not all the same force. As I see it, the force of a resolution depends on the number of votes which it has received; clearly those adopted unanimously will impose themselves on our Committee's attention in a more imperative and pressing fashion, and it is in their connexion that we can hope to do constructive work, for they are based on an existing agreement of principle.

That is why I should like first of all to express my views on the resolutions concerning general and complete disarmament (A/RES/1722 (XVI), 1767 (XVII), 1908 (XVIII)), and a ban on nuclear tests (1910 (XVIII)). Regarding the first of these, the Soviet representative expressed on 20 August his regret that --

"... the Committee is still very far from having carried out the mandate of the United Nations General Assembly in regard to achieving agreement on general and complete disarmament." (ENDC/PV.209, p. 23)

I very sincerely share the Soviet representative's regret, but I certainly cannot agree with him or our other Eastern colleagues when they seek to cast the blame for this delay on the Western delegations.

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Let us very briefly consider what our Committee has done at its Tuesday meetings during the last two sessions within the framework of general and complete disarmament. We have almost exclusively examined the Gromyko proposal (ENDC/2/Rev.1/Add.1) in our efforts to grasp its significance and, so far as we are concerned, to find a formula to reconcile it with our own proposals. In the hope of achieving an agreement on the step-by-step reduction of nuclear weapon delivery vehicles, we have shelved other important problems which could have been examined, such as those of conventional weapons and armed force levels, on which the two sides did not seem to be so very far apart. Work on these problems would have been in full conformity with Part I of resolution 1908 (XVIII). But we postponed this examination so that we might thoroughly study, with patience and goodwill, the possibilities of agreement which might be offered by the Gromyko proposal.

Unfortunately, our efforts were of no avail. The Soviet delegation did not take any of our comments into consideration. Even for the examination of its own proposal on a technical level, it at one time laid down a clearly unacceptable pre-condition. Moreover, the Soviet delegation has rejected all the numerous proposals submitted by the Western delegations, whether on general and complete disarmament or on collateral measures. These proposals, if accepted, could at once reduce the nuclear menace in a concrete manner and provide an irresistible impetus to general and complete disarmament in conformity with resolution 1908 (XVIII).

Without going into details, the Eastern delegations, in order to justify their negative attitude, have tried to call in question the very principle of balance, or at least to interpret it in such a way as to preclude any progress in disarmament. According to them, the principle of balance would in practice entail the immediate reduction of the nuclear weapons of both sides to equal minimum levels, while taking no account whatever of conventional weapons and the advantages inherent in the geographical position of the Eastern bloc. It is not surprising that we cannot accept those views.

Furthermore, still on the general aspect, our discussions have contained another negative element: the continued reluctance of the Soviet delegation to accept controls. The Soviet delegation continues to hold that measures such as a halt in the arms race in certain nuclear sectors would not justify the application of controls. This restrictive criterion, which is logically untenable, is greatly to be regretted and has so far prevented the effective commencement of general and complete disarmament. The Soviet reluctance to accept controls is particularly manifest in the matter of

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prohibiting underground nuclear tests, which is the subject of resolution 1910 (XVIII). The Soviet delegation, aware of the weakness of its case, has indeed not been very keen to discuss this problem. In this connexion I refer to the exchanges between the Soviet representative and myself on 6 August (ENDC/PV.205. pp 35. 36), when I asked that one meeting at least should be devoted to a discussion of resolution 1910 (XVIII).

The Czechoslovak and Bulgarian delegations, for their part, completely ignored resolution 1910 (XVIII) in the statements which they made at our 209th meeting. I can see that in these circumstances it would be rash to hope that a discussion on a ban of underground tests could produce immediate results. However, my delegation cannot evade its responsibility to the General Assembly, and it must reaffirm its standpoint by taking part in the exchange of views which has already begun here and which is of no mean interest. Indeed, when at the beginning of our sixth session on 21 January Mr. Foster, the United States representative, outlined his proposals on collateral measures, he stressed among other matters the link between a controlled ban on all nuclear weapon tests and the non-dissemination of nuclear weapons (ENDC/PV.157. p. 12). As Mr. Foster observed, that increases the desirability of an agreement to ban all nuclear weapon tests.

On 25 February the Secretary of State for Foreign Affairs of the United Kingdom, Mr. Butler, in his speech at this Conference, certainly did not neglect the problem of tests when he listed "a number of cardinal points upon which ... we should try to reach agreement ..." (ENDC/PV.169. p. 9). His second point related to a comprehensive nuclear test-ban treaty. In this connexion he declared:

"We have said that it would be logical and most desirable to follow up the partial nuclear test ban treaty with a supplementary agreement which would make it comprehensive. I hope that not too much time need pass before the very small and really quite painless degree of inspection is accepted which would allow us to have a comprehensive ban." (ibid., p. 10).

These statements by the Western nuclear Powers were followed later by several speeches from non-aligned countries, among which I should particularly like to recall those of the Mexican representative, Mr. Gomez Robledo, and the Brazilian representative, Mr. Correa do Lago (ENDC/PV.205). I recall these speeches -- others could be cited, too -- in order to show that the Committee has always kept in mind the problem of underground tests and sought a solution for it. Today's speech by Mr. Obi provides yet further evidence of this. In any case it is our Committee's task to provide encouragement and exert friendly pressure, with a view to removing all difficulties

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and obstructions. This task, which we carry out patiently and persistently, is neither useless nor ineffective, as certain well-known facts have proved.

We know where lies the main difficulty still hindering an agreement to ban underground tests. When Mr. Tsaraphkin spoke briefly on tests at the meeting of 20 August, he stated categorically that "no special international control need be organized to detect underground tests ..." (ENDC/PV.209, p.28). We do not agree. As you know, this opinion is not supported by scientific facts, nor is it shared by many of the delegations here. This is amply proved by the following extract from the speech made by the Ethiopian representative, Lij Imru, at the same meeting:

"... it is even more necessary today that a relatively simple method of inspection, such as is feasible in respect of underground nuclear tests, should first be agreed and tried before complicated verification schemes are mooted.

"... In time, as tensions diminish and mutual confidence is based on more solid ground, there will be no pressing need for detailed verification schemes; but today it is necessary to agree on and try simple inspection measures that may generate trust and render more complicated inspection measures safer to accept". (ibid., p. 6)

As I see it, these words represent an appeal to the Soviet delegation to reconsider its position on control. The Western delegations have asked the Soviet delegation to agree at least to an objective comparison of the scientific data pertaining to the manner of detecting and identifying underground tests. I associate myself with this request, and, with the precedent of the Moscow Treaty (ENDC/100/Rev.1) in mind, I trust that these appeals will eventually be heeded.

It will be remembered that the initiative taken by the Western delegations for the conclusion of a partial agreement on tests was for a very long time opposed by the Soviet Union, but that the Soviet delegation did eventually accept our proposal after one year. Thus we can hope that the Soviet Union will in the long run realize the soundness of our arguments regarding the inspection of underground tests. The progressive improvement in the international atmosphere should have some influence in inducing the Soviet Union to adopt a less restrictive and more open-minded attitude towards control requirements.

I now come to resolution 1909 (XVIII), which was submitted to this Committee in a spirit of wise moderation by the Ethiopian representative. I need hardly say how much the Italian delegation shares the anxieties of the Ethiopian and other delegations

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about the present situation regarding atomic armaments. We are fully aware of that danger and of the need to reduce the nuclear menace step by step, through concrete and effective measures and later to eliminate it completely. As I have already said, several proposals are before this Conference and can lead us to that goal in a realistic manner. We must make every possible effort to reach that goal.

As regards the convening of a conference on the prohibition of the use of nuclear weapons, I share the views expressed here by the United Kingdom (ENDC/PV.209, pp. 13, 14) and Canadian (*ibid.*, pp. 37 *et seq.*) delegations. Such a convention would engender an illusory and false sense of security. As Mr. Khrushchev said (ENDC/PV. 209, p. 14) no one will refrain from using nuclear weapons if he has been gripped by the throat and his very life is in danger. Moreover, a country preparing to commit such an unprecedented crime as atomic aggression would certainly not be deterred from carrying out its grim intentions by the fact that it would be breaking a moral agreement. What we must do, and do as soon as possible, is to eliminate the bomb through concrete agreements, and meanwhile to find a realistic way of limiting its dangers. At present, the sense of responsibility of the Governments possessing atomic weapons constitutes a guarantee -- a moral guarantee certainly, but one of very great value.

We in the West know with absolute certainty that the Western Powers, who are joined together in a defensive alliance, will never be guilty of unleashing a nuclear war. Those Powers proved it by indisputable facts, even when they were the only ones to possess atomic weapons and had thus no cause to fear any nuclear reprisals. At present, aggression has no part whatever in the doctrine of Western nuclear strategy. That doctrine is based solely on the essential requirements of defence, protection and security.

It is with satisfaction that we take note of the Soviet Government's declarations stressing the terrible dangers of atomic weapons to all without exception and to mankind as a whole. These words prove that the Soviet leaders are just as aware as is the West of the grim effectiveness of the instrument of death and devastation which is in their hands, and seems to indicate that they are fully conscious of their responsibility.

Moreover, there exist means which, pending the elimination of nuclear weapons, could bring immediate relief much more concrete and tangible than that proposed in resolution 1908 (XVIII). Two types of measures are involved: measures to prevent war through error or misunderstanding, and an agreement on non-dissemination.

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In regard to the first type, we have already concluded an agreement here for the establishment of a direct line between Washington and Moscow (ENDC/97). Many other steps might be taken to reduce the risk of unleashing a war through error. A paper on observations posts has already been submitted (ENDC/130), and we are ready, and indeed anxious, to conclude an agreement on that subject. As for an agreement on non-dissemination, its value is well-known; the Western delegations are equally ready and anxious to conclude one without delay.

The Eastern delegations refuse to do so, alleging as a pretext the current studies on the establishment of a multilateral force. My delegation has often set forth its views on the question of the multilateral force, but it would like to take this opportunity to define the framework and the terms in which this question presents itself in relation to a non-dissemination agreement. I should also like to reply, without actually citing them, to a certain number of objections formulated by the Eastern delegations.

First of all, the characteristics of our defensive alliance, which threatens nobody, should be clearly understood. I do not know exactly how the Warsaw Treaty is organized, but as far as we are concerned, when we created NATO we endeavoured and we are still endeavouring -- to make it so far as possible an integrated alliance, and to establish the closest possible association among its members. Our countries contribute to our collective security and to peace by pooling their resources. In our view, this association should serve not merely to strengthen collective security, but also to give fresh guarantees to all for the maintenance of peace.

As a consequence of this close association of several countries, none of them can act in isolation, moved by limited, misguided or selfish interests. The association creates a collective responsibility which hampers and prevents individual action. At any rate, that is our aim in the West. To be sure, that aim has not yet been fully attained, but we are continually striving to achieve it and we hope that we shall succeed in doing so. The multilateral force would provide a framework within which these intentions and this interdependence could be applied in an especially strict, striking and effective manner.

Furthermore, so long as the arms race goes on, all States must continue to provide for their own security. They are free to do so in the manner which they consider most appropriate, alone or in association with their allies. The organization of armaments is certainly developing under the Warsaw Treaty. We do not know the details, but official statements by Eastern leaders tell us from time to time that their

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military organization is becoming more and more powerful. We know that the East has, inter alia, an imposing number of medium-range missiles directed against the countries of Western Europe, which for their part do not possess any.

It is therefore not surprising, nor does it contravene any international undertaking, if the Western countries, seeking to provide for their own defence, wish to restore the balance by joint action amongst themselves. However, as has been clearly stated, they want to do so without any dissemination of nuclear weapons. As you know, Western defence is organized openly under the eyes of the Press and public opinion, a fact which, as the Soviet delegation has frequently pointed out, often leads to varying and even contradictory statements. That does not worry us; the final solution will be in conformity with the will of the people, by virtue of decisions which, in the final analysis, will be taken by national Parliaments in the exercise of their representative and sovereign power.

Concerning the multilateral force, studies are in progress; when they have been completed, they will be made known in full, and presented to public opinion and to national Parliaments. At present, therefore, we have only a fragmentary and imprecise knowledge of these studies. What we do know quite definitely is that they were undertaken in the firm determination to prevent any dissemination of nuclear weapons. In the case of Italy, our Government has made various official and categorical statements on the subject which are binding on our Parliament. In accordance with these declarations, the multilateral force must not entail dissemination of nuclear weapons but, on the contrary, must provide additional guarantees concerning the decision to use those weapons.

I should like the Soviet delegation to give careful thought to the considerations which I have just set forth. It should not, as I see it, refuse altogether

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to take account of certain very clear-cut and binding commitments entered into by the Western Governments; nor should it overlook the advantage to all of an immediate agreement on non-dissemination. Above all, the Soviet delegation should not underestimate the fact that an agreement on non-dissemination would immediately provide a direct legal guarantee that the creation of a multilateral force would observe the principle of non-dissemination. Such a legal undertaking would be additional to assurances already given and would serve to confirm them.

The United Nations awaits from us a reply to its resolutions, particularly those adopted unanimously in respect to which it has the right to expect the conclusion of some agreements in this Committee. Unfortunately, that reply will not be a satisfactory one. We have worked, as has recently been pointed out by a high religious authority, "nobly but feebly". However, our reply will not be completely negative. The abundance of ideas and proposals submitted by all delegations at this session, the earnestness of our discussions, the sincerity and the desire for peace which have animated them, all constitute positive elements which should be stressed in our report.

Moreover, we still have a few weeks of work left. It would not be impossible to make good progress towards the conclusion of some of those agreements which we have had in mind and which, in our view, could still be achieved in the near future. One last effort could perhaps enable us to send the General Assembly a message containing not merely hope and confidence in the future, but also certain concrete achievements. The Western delegations, and particularly that of Italy, are willing to make this fresh effort, and we expect a like attitude on the part of the Eastern delegations.

Mr. GOLDBLAT (Poland): First of all, I should like to join the other representatives who have spoken in extending a warm welcome to the representative of the United Kingdom, Sir Harold Beeley, who is a newcomer to this Conference; and also to the representative of the United States, Mr. Foster, who is, so to speak, an "old-comer" but whom we are nevertheless glad to see again in his place. I should like also to thank you, Mr. Chairman, and other representatives for the welcome which you have extended to me.

I cannot promise to be brief and non-controversial in this maiden speech of mine, but I shall certainly do my best not to abuse the patience of my colleagues. It is customary in this Committee to examine each proposal submitted for discussion as a collateral measure of disarmament in the light of its compatibility with the requirements formulated in one of the early Conference documents: namely, the lessening of international tension; the consolidation of confidence among States; and facilitating general and complete disarmament (ENDC/1/Add.1). With those criteria in mind I propose to deal first with United Nations resolution 1653 (XVI), which calls upon Member States to convene a conference for the purpose of signing a convention on the prohibition of the use of nuclear and thermonuclear weapons.

It is the considered view of my delegation that a solemn undertaking by all those States possessing nuclear weapons not to use them could, in and by itself, mark the beginning of the end of the era of nuclear terror, promoting thereby the main objective of this Conference. There is hardly any issue which has mustered wider support of world public opinion than the need for reducing and eventually eliminating the danger of a nuclear war. The political, psychological and moral impact of the proposed convention cannot, therefore, be overestimated. Much has already been said on the subject, both here and elsewhere, but I should like to stress one or two points.

An obligation undertaken by all Powers not to use nuclear weapons in the event of war would be tantamount to the renunciation of nuclear diplomacy or, to use a more poignant term, nuclear blackmail, in times of peace. It would also provide telling evidence of sincerity, good faith and determination to do away with the most deadly weapons ever devised by man. It might, furthermore, under propitious circumstances, of course, bring about a slowing-down in the nuclear armament build-up and decrease the interest of non-nuclear Powers in or dissuade them from acquiring and manufacturing nuclear weapons.

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It is highly regrettable indeed that on such a fundamental issue the Western Powers find themselves in disagreement with the socialist countries and the non-aligned States. We cannot but deplore that in this age of ours, the age of reason, some governments still advocate the legality of nuclear suicide -- in spite of the universal clamour against it; in spite of appeals and authoritative opinions issued in clear and unequivocal terms by several international assemblies, numerous political figures, outstanding scholars and political scientists. It would be physically impossible for me to quote all of them. Let me refer at least to the address by the Secretary-General of the International Law Association of 1954, to the Conference held in Edinburgh, in which he stated:

"Nuclear weapons are contrary to international law because, first nuclear weapons are poisonous -- and only barbarians poison their enemies; second, nuclear weapons are inhuman as causing unnecessary suffering; third, nuclear weapons cannot be employed without disregarding the historical distinction between combatants and non-combatants; fourth, nuclear weapons are contrary to the Geneva Convention of 1925 prohibiting the use of asphyxiating, poisonous or other gases and of all analogous liquids, materials, and devices."

The same subject was dealt with in the resolutions of the Pugwash Conference, such as the Vienna declaration of 1958, which said that the only restraint against the employment of atomic weapons in war would be agreements not to use them -- agreements concluded in times of peace.

The point, then, is to transmute the prevalent feeling of revulsion -- of moral revulsion -- against nuclear weapons into an internationally-binding agreement. Is it not strange that, while less deadly weapons, such as chemical and biological means of warfare, have been internationally banned, the most devastating instruments of massive annihilation still remain outside the province of interdiction?

Various arguments have been adduced here against the prohibition of the use of nuclear weapons. They have already been refuted by, among others, the representatives of Nigeria and Mexico in their convincing statements today; but I should like to refer to some of them, even at the risk of being somewhat repetitious.

It has been alleged that the proposed ban could not be effective and therefore would not prove useful. However, I submit that the only guarantee of effectiveness of any international treaty -- and this has already been stressed by Mr. Obi today -- is the will of the parties to abide by its provisions. Depreciation of the legal

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obligations of States would lead to nihilism, both in international law and in international relations. It can hardly be denied that a ban on the use of nuclear weapons would exert a restraining influence on belligerents in case of a military conflict. The party tempted to resort to such weapons would have to take into account the law of humanity and would have to weigh the risk of being stigmatized as a perpetrator of a crime against mankind and against civilization. This has also been stressed by the representative of Mexico in his statement today.

The assertion that a convention prohibiting the use of nuclear weapons would engender a dangerous sense of false security would perhaps be pertinent if we had to renounce disarmament and rely exclusively on the convention. That is not the case, however, and the Western Powers are well aware of this. As the representative of Ethiopia rightly pointed out on 20 August:

"A ban on the use of nuclear weapons is obviously not a substitute measure but a preliminary step preparing the ground for their total destruction."

ENDC/PV.209, p.9

Are we to interpret the Western objection as the adoption of an "all or nothing" position? I may remark in parenthesis that those who support the ban on the use of nuclear weapons are perfectly able to distinguish genuine security from false security.

A convention prohibiting the use of nuclear weapons has also been labelled by one of our colleagues as "idealistic". But is it realistic to expect that by sanctioning the use of nuclear weapons we shall provide more security than by outlawing them? Is the concept of indivisible nuclear war more practicable than the requirement of indivisible non-nuclear peace? The answer has already been given by the representative of India, who stated at our last meeting:

"It is not realistic ... even to contemplate the possibility of the use of nuclear weapons in any circumstances. If either side used such weapons, the consequences would be disastrous for both sides and for the world as a whole."

(ENDC/PV.212, p.6)

In fact, the whole issue boils down to one question: should nuclear weapons be considered a legal means of warfare or not? The reply of the Western Powers is, regrettably enough, in the affirmative. It is not the nature of the prohibition, its alleged ineffectiveness or its "idealistic" character which stands in the way of reaching agreement on the issue, but the official military and strategic doctrine expressed,

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inter alia, in the United States law of land warfare, which reads in part:

"The use of explosive atomic weapons, whether by air, sea or land forces, cannot as such be regarded as violative of international law in the absence of any customary rule of international law or international convention restricting their employment." (U.S. Army Field Manual on the Law of Land Warfare, 18 July 1956, para.35)

Thus, in the view of the United States Government the absence of appropriate international law makes the use of nuclear weapons permissible.

The primary issue, therefore, is a reform of thought, a revision of such concepts as "first strike", "over-kill" and "counterforce" which have dehumanized man by allowing millions of potential human victims to be treated as mere statistics or pawns in a chess game. What is needed is a revision expressed in political decisions. We regret to say that those and similar concepts, in addition to outdated political considerations, constitute the main obstacle to reaching an agreement on the question of non-dissemination of nuclear weapons also. From what I can gather from the verbatim records of our past meetings, the Western representatives, in defending an unpopular cause, have tried to present the matter as if it were not the multilateral nuclear force which stands in the way of reaching agreement on the non-proliferation of nuclear weapons, but the opposition of the socialist States to the creation of the force. Some military strategists consider offence the best means of defence. However, the same approach used by the Western Powers in diplomatic negotiations has hardly proved efficacious.

Pursuing a similar line of reasoning, one of the Western representatives expressed sympathy -- uncalled-for sympathy, I would add -- for the helpless bystanders in the nuclear race. The prospect of not being a participant in the deadly race does not worry United Nations Member States; at least, we do not recall that they have complained of nuclear powerlessness. Should we understand this Western position as a green light for the transfer of nuclear weapons to non-nuclear States? Is it not strange that while no such scheme as a multilateral nuclear force was considered necessary during the times of greatest international tension, it is being pushed now, when new and better prospects for East-West relations have opened up? What is worse, the multilateral nuclear force would enhance the nuclear arms race, not only through ways and means used so far but also through the admission to the race of non-nuclear NATO Powers, particularly the German Federal Republic, whose political aspirations and irresponsible claims in central Europe are a matter of record.

(Mr. Goldblat, Poland)

The Polish delegation has always been of the view that States, in particular the nuclear Powers, should desist from undertakings which might render difficult the solution of disarmament issues and thereby complicate the very process of negotiation. Our attitude is in accordance with the Joint Statement of Agreed Principles (ENDC/5), which recommends that, in order to facilitate the attainment of general and complete disarmament, States should refrain from any actions which might aggravate international tensions. We are glad to note that that is also the position of the non-aligned countries, which are opposed to any faits accomplis in the field of armaments and favour obligations non facienda, in particular in the field of nuclear armaments.

I have in mind the interesting suggestions made by the representative of the United Arab Republic, Mr. Hassan (ENDC/PV.207, pp.9 et seq.), and the representative of India, Mr. Nehru (ENDC/PV.211, pp.16 et seq.) that the existing arrangements for the control, use, possession or transfer of nuclear weapons and for training nationals of non-nuclear States in the use of such weapons should not be developed beyond the present state and that both sides should refrain from taking any action which might jeopardize the success of an eventual agreement on non-dissemination. The suggestions are thus aimed at creating conditions which would facilitate agreement without harming the interests of anyone. Similar ideas have been advanced today by the representative of Nigeria. Those suggestions and ideas are in full accord with the requirements of the present situation.

The Moscow Treaty (ENDC/100/Rev.1) on the cessation of nuclear weapon tests in three environments, the United Nations resolution (A/RES/1884(XVIII); ENDC/117) banning the orbiting of weapons of mass destruction, and the decision (ENDC/131, 132) of the three nuclear Powers to reduce the production of fissionable materials for military purposes have, in spite of their limited nature, given rise to hopes for further agreements. In such circumstances any new accomplished facts, in particular in the field of nuclear armaments, would contradict the logic and the very spirit of the agreements which have already been concluded; they would place a new stumbling-block in the way of disarmament negotiations, because, as the representative of India asked on 27 August --

"How can one expect serious negotiations if, on questions relating to transfer or control of nuclear weapons which raise some fundamental issues, pre-emptive action by either side is taken in advance?" (ENDC/PV.211, p.17)

(Mr. Goldblat, Poland)

The representative of the United States, Mr. Timberlake, finds some consolation in the fact that in spite of everything "life still goes on". I refer to the statement which he made on 23 July (ENDC/PV.201, p.33) and which I would gladly consider an unfortunate slip of the tongue -- for there would be something rather discouraging about the sight of a great nation falling back upon sheer survival as its all-consuming purpose in history. I am sure that on second thoughts the representative of the United States will agree that the world, including his own nation, is entitled to nobler aspirations than mere survival.

If I may say so, "Tout ne va pas pour le mieux dans le meilleur des mondes possibles". That is why we are assembled at this Conference, applying our hearts and minds to the cause of destruction of armaments and the building of a better, more secure life on our planet. But one should bear in mind that no progress in disarmament negotiations, including the question of the prevention of a wider dissemination of nuclear weapons, is conceivable as long as the Western Powers disregard the security requirements of the socialist countries. Security is indivisible. Is it asking too much of our Western partners to adhere to this principle?

The CHAIRMAN (Mexico) (translation from Spanish): I have been informed that the four representatives still inscribed on the list of speakers, among whom are our two co-Chairmen, have expressed the wish, as it is already late, to interrupt the present meeting and to resume at 3.30 p.m. If there are no objections, the meeting will now be suspended.

The meeting was suspended at 12.45 p.m. and resumed at 3.40 p.m.

Mr. TSARAPKIN (Union of Soviet Socialist Republics) (translation from Russian): First of all, we should like to associate ourselves with the words of welcome addressed to the newly-appointed representatives of the Polish People's Republic, Mr. Goldblat, and of the United Kingdom, Sir Harold Beeley, as well as to the representative of the United States, Mr. Foster.

Today the Soviet delegation intends to make a few additional comments in connexion with the discussion of the General Assembly resolution on the question of the convening of an international conference for the purpose of signing a convention on the prohibition of the use of nuclear weapons (A/RES/1909(XVIII); ENDC/139).

The refusal of the Western Powers to support this proposal is introducing into the work of the Committee at the concluding stage of the present session yet another grave negative element, in regard to which we are bound to express our regret. A careful study of the arguments with which the Western Powers have explained their refusal to support the proposal to conclude a convention has revealed the complete invalidity of these arguments, which, we will say quite frankly, are characterized by superficiality and lack of seriousness.

The representatives of the Western Powers alleged, for instance, that a convention on the prohibition of the use of nuclear weapons would not be sufficiently practical, that it would merely be of a declaratory nature, and that the implementation of its provisions would not be mandatory. But if one were to reason in that way and adopt that point of view, then one would have to renounce altogether the conclusion of a great many international treaties and agreements embodying the obligations of States or their declarations of intention to act in the relevant matters in a certain way and not to act in any other way. The argument of the United Kingdom representative, Mr. Tahourdin, that the convention might not be complied with and might be violated (ENDC/PV.209, p. 13) is untenable because the contracting parties, in signing a convention, would assume an obligation to comply with it. It is precisely for this purpose that all international agreements are signed.

Incidentally, it should be pointed out that if one were to adopt the point of view that a convention might not be complied with and might be violated and that for this reason it would be ineffective and useless, then the very same

(Mr. Tsarapkin, USSR)

argument could be applied to any agreement, Mr. Tahourdin, to any agreement. Nevertheless, agreements are concluded and remain in force, because States base themselves on the principle pacta sunt servanda. Of course, no one is guaranteed against a possible violation of international agreements; but that consideration cannot and must not be a ground for calling into question the value of such international obligations -- in the present case the proposed convention on the prohibition of the use of nuclear weapons.

In any case, there can be no doubt that an agreement to prohibit the use of nuclear weapons would have at least not less, but even more, deterrent effect on any aggressor who contemplated unleashing a nuclear conflict than, for instance, the Geneva Convention of 1925 which prohibited the use of chemical and bacteriological weapons. General ostracism, complete international isolation, not to mention the most serious consequences of an economic and military nature, would threaten any State that ventured to infringe the convention and commit nuclear aggression. Therefore we consider that such a convention, even though it would not provide a 100 per cent guarantee against nuclear war, would nevertheless constitute a definite barrier standing in the way of a possible outbreak of war, and would undoubtedly be a useful and important contribution to the strengthening of peace.

It is difficult to conceive that the Western Powers fail to understand this. It is difficult to believe that in speaking against the prohibition of the use of nuclear weapons they are really guided by the view that such an international convention would be "unpractical" or "unrealistic", as the representatives of the Western Powers have told us.

Equally untenable is the second assertion of the Western representatives to the effect that the conclusion of such a convention -- as was stated again by the representative of the United Kingdom, Mr. Tahourdin, "might breed a false impression that aggressive action could be undertaken without risk of nuclear war" (ENDC/PV.209, p. 14). This statement of the United Kingdom representative was today echoed by the representative of Italy, Mr. Cavalletti, when he said that the signing of a convention would create a false sense of security. In making such statements the Western representatives wish to suggest to the world at large the peculiar idea that the signing of a convention prohibiting the use of nuclear weapons would be advantageous to a potential aggressor and that international security would be very dangerously weakened.

(Mr. Tsarapkin, USSR)

By posing the questions in this way the Western representatives are trying to impress upon the participants in the negotiations the idea that general peace and international security can be based only on the "balance of nuclear terror" and not on disarmament. These assertions of the Western representatives are so contrary to common sense, and to the generally-accepted understanding of the essence of the matter, that there is no need to waste time on showing their complete lack of foundation. That is quite evident to everybody.

Everybody realizes that the conclusion of a convention prohibiting the use of nuclear weapons would considerably improve the international situation. That fact by itself would create a definite additional barrier to the implementation of aggressive plans on the part of any potential violator of the convention. In this connexion the representative of Bulgaria, Mr. Lukanov, has very rightly pointed out that an international convention providing for the prohibition of the use of nuclear weapons would be a serious obstacle to the inhuman theories of a "preventive nuclear war" or a "first nuclear strike", and would thus make more difficult the attempts of aggressive circles to confuse and bewilder public opinion in their own countries and world public opinion, and to convert their dangerous aspirations into reality.

Even more groundless and peculiar is the last argument of the Western representatives against the conclusion of a convention prohibiting the use of nuclear weapons. This argument is that such a convention would hamper progress in the negotiations on general and complete disarmament. In this connexion the representative of Canada, Mr. Burns, put forward the following consideration. He said that in 1961, when the sixteenth session of the General Assembly adopted the declaration on prohibition of the use of nuclear weapons, some countries might still have had some grounds for supporting this declaration, but that now, when "machinery for attacking systematically the question of disarmament" has been created, when "we have had the benefit of several years of detailed disarmament negotiations", when "a formula for coming to grips with the problem has been evolved", there are no such grounds any longer (ENDC/PV.209, p. 38).

(Mr. Tsarapkin, USSR)

This "argument" of Mr. Burns, in view of its obvious lack of logic, might well be brushed aside and ignored. It could have significance only if the "machinery" created for disarmament negotiations -- that is, the Eighteen-Nation Committee -- during its many years of experience in negotiating, had produced concrete results in regard to the elimination of nuclear weapons. In that case Mr. Burns, having pointed out these results, might perhaps have had some justification for asking why we should now convene a special conference for the purpose of signing a convention on the prohibition of the use of nuclear weapons, when the disarmament negotiations were so far advanced that a comprehensive agreement on disarmament providing for the complete prohibition of nuclear weapons and not merely the prohibition of their use was on the point of being concluded.

But, as we know, we are very far from that, Mr. Burns. If we compare -- as the representative of Canada has done -- the situation existing at the present time with the situation that existed in 1961, it should be recognized that even if at that time the governments of some particular States, hoping for the early achievement of an agreement on general and complete disarmament, could still, in the expectation of it, refrain from insisting on the conclusion of a convention on the prohibition of the use of nuclear weapons, the disillusioning experience of the past years has convinced all of them of the need for parallel actions and measures. This means that, while continuing to seek for a solution to the problem of general and complete disarmament, at the same time we must not in any case refuse to take such separate measures as would be conducive to relaxing international tension and reducing the danger of nuclear war. The signing of a convention prohibiting the use of nuclear weapons would indeed be one of such measures -- that is clear to all and hardly needs any additional arguments in support.

What is more -- and this was mentioned by the representative of Ethiopia and others at the 209th meeting -- it can be considered an indisputable fact that a positive solution of the question of prohibiting the use of nuclear weapons would greatly facilitate the accomplishment of our main task -- the achievement of agreement on general and complete disarmament. That is clear to everybody, and we do not doubt that it is also clear to the representatives of the Western Powers.

(Mr. Tsarapkin, USSR)

Frankly speaking, it is difficult to understand how the delegations of the Western Powers can speak against the conclusion of a convention prohibiting the use of nuclear weapons when the General Assembly, at its sixteenth session, adopted a declaration by an overwhelming majority which proclaims that

"Any State using nuclear and thermonuclear weapons is to be considered as violating the Charter of the United Nations, as acting contrary to the laws of humanity and as committing a crime against mankind and civilization;" (A/RES/1653 (XVI), p.2)

It is high time for the United States and its NATO allies to draw conclusions from what is happening in the world around them. By refusing to listen to the voice of world public opinion, to the demand of the peoples for the outlawing of nuclear weapons -- which has been repeatedly advocated by the overwhelming majority of States -- the Western Powers are openly opposing all the rest of the world.

It is to be hoped that in the near future the Western Powers will reconsider their negative attitude in regard to this question and will cease their objections to the convening of an international conference for the purpose of signing a convention on the prohibition of the use of nuclear weapons. If the Western representatives still really have any doubts about the usefulness of concluding such a convention, then, as the representative of India, Mr. Nehru, quite rightly said in his statement of 27 August, all such doubts "could be considered in that conference". (ENDC/PV.211, p. 14).

As for the Soviet Union, I should like in conclusion to repeat once again that the Soviet Government supports the proposal that the Committee should recommend to the General Assembly that an international conference should be convened for the purpose of signing a convention prohibiting the use of nuclear weapons. The Soviet Union is prepared to sign such a convention and to comply with it strictly, if, of course, the other nuclear Powers will sign it and likewise comply with it.

The Soviet delegation would now like to revert to the question of the non-dissemination of nuclear weapons. The discussion of this question in our Committee has already been going on for several months, and all the members of the Committee who are truly interested in achieving a practical solution of this key international question as rapidly as possible have been endeavouring to make a

(Mr. Tsarapkin, USSR)

constructive contribution to the discussion. We deem it necessary to emphasize that such a contribution to the discussion on the question of the non-dissemination of nuclear weapons has been made at recent meetings of the Committee by the representatives of the United Arab Republic (ENDC/PV.207, pp. 5 et seq.) and the Republic of India (ENDC/PV.211, pp. 16 et seq.); somewhat earlier by the representative of Mexico (ENDC/PV.201, pp. 14 et seq.), and at the previous session of the Committee by the representative of Nigeria (ENDC/PV.176, pp. 14 et seq.).

The statements made by the representatives of the United Arab Republic, India, Mexico and Nigeria gave convincing evidence of the warm and sincere desire of the non-aligned States of Africa, Asia and Latin America to contribute towards the achievement of an effective agreement on the non-dissemination of nuclear weapons and thereby towards reducing the danger of nuclear war and slowing down the nuclear arms race. We fully share that desire, and can assure these countries that in their struggle against the nuclear threat they can count on the firm support of the Soviet Union.

In regard to the considerations put forward by the representatives of the non-aligned countries on the question of the non-dissemination of nuclear weapons, we should like to point out the following, in our opinion, important and constructive elements contained in those considerations.

First, the delegations of the non-aligned countries are in favour of the conclusion of a comprehensive agreement on the non-dissemination of nuclear weapons, such an agreement as would shut off all possibilities of the further spread of these weapons, whether in a direct or in an indirect way.

The representative of the United Arab Republic, Mr. Hassan, stated that the declaration on the non-dissemination of nuclear weapons should "bar any access to nuclear weapons" (ENDC/PV.207, p. 9), and that it was essential to close "the door completely to the dissemination of nuclear weapons" (ibid., p. 10). The same idea was expressed in the statement of the representative of India, Mr. Nehru, who emphasized that the ban on transferring control over nuclear weapons

"... should be interpreted ... in the broadest possible sense so as to preclude the transfer of nuclear weapons to any non-nuclear Power, either under joint or under individual control." (ENDC/PV.211, p. 16).

(Mr. Tsarapkin, USSR)

The Soviet delegation considers that only such an approach to an agreement on the non-dissemination of nuclear weapons can really ensure the solution of this problem. At many meetings of the Committee the Soviet delegation has defended the point of view that an agreement on the non-dissemination of nuclear weapons, if it is to be really effective, must block all direct and indirect ways for the transfer of nuclear weapons to non-nuclear States and for their manufacture by non-nuclear States. In short, it is a matter of prohibiting access to nuclear weapons in any way.

Secondly, the representatives of the United Arab Republic and India clearly stated the demand that the Committee should pass on without delay from a general discussion on the non-dissemination of nuclear weapons to the practical preparation of an agreement in this regard. We fully agree with them. In this connexion I should like to recall that the Soviet delegation has set forth in detail its views regarding the specific provisions to be contained in an agreement on the non-dissemination of nuclear weapons (ENDC/PV.195). Unfortunately the Western Powers have not yet given any reply to these views of ours, confining themselves to declarations of a general nature to the effect that on the whole they would be able to take part in preparing an agreement on non-dissemination, but only on the indispensable condition that the negotiations for the creation of a NATO multilateral nuclear force would continue at the same time. Moreover, the Western Powers have explained that they could only accept such an agreement as would not prevent the creation of the NATO multilateral nuclear force. But to adopt such a position means in effect to block any possibility of agreement. The Western Powers must put an end to their double game in this matter.

Thirdly, the statements of the representatives of the non-aligned countries reflect their realization of the fact that the NATO multilateral nuclear force is the main obstacle standing in the way of a solution of the problem of the non-dissemination of nuclear weapons. In this connexion we, and, I think, all the other members of the Committee, were greatly impressed by the statement made by the representative of Mexico, Mr. Gomez Robledo, who pointed out that the creation of a NATO multilateral nuclear force would lead to a further arms race even more dangerous than the present one, since it would be a "multilateral arms race". (ENDC/PV.201, p. 21).

(Mr. Tsarapkin, USSR)

Members of the Committee will no doubt recall the statement made by the representative of Nigeria, Mr. Obi, that "In any case the creation of the multi-lateral nuclear force would certainly result in the proliferation of nuclear armaments". (ENDC/PV.176, p. 15). We also recall that the representative of the United Arab Republic, Mr. Hassan, stated that "the way towards an appropriate international agreement has been blocked by a sudden obstacle: the multilateral nuclear force". (ENDC/PV.207, p. 7)

Those statements of representatives of the non-aligned States show quite clearly that the non-aligned States realize that the creation of a NATO multi-lateral nuclear force, through which the West German revenge-seekers would be given access to nuclear weapons, is incompatible with the principle of the non-dissemination of nuclear weapons. Those statements testify to the realistic approach of the non-aligned countries to the vital problems of strengthening peace and preventing nuclear war. The Nile and the Niger are far from the Rhine, and the Mexican plateaux and the valleys of Hindustan are even farther from Bavaria and the Ruhr; but in Cairo and Lagos, in Mexico and Delhi, it is well understood that peace in the nuclear age is indivisible, that the spark of a nuclear conflict struck in Central Europe would kindle a world-wide nuclear conflagration.

Fourthly, in the statements of the representatives of the United Arab Republic and India the idea was expressed that, if we really wish to reach agreement on the question of the non-dissemination of nuclear weapons, it is the duty of each of the parties not to allow in their actions anything that would lead to the dissemination of nuclear weapons. This seems to us to be altogether logical, natural and right, because it is impossible to reconcile the negotiation and conclusion of an agreement on the non-dissemination of nuclear weapons with any plans conducing to the actual dissemination of such weapons. It is impossible to sign a treaty on the non-dissemination of nuclear weapons on the one hand, and on the other hand to permit access to these weapons by non-nuclear Powers through the so-called "NATO multilateral force".

(Mr. Tsarapkin, USSR)

In this connexion we should like to make yet another comment. We have already stated a good many times that the NATO multilateral nuclear force is a form of dissemination of nuclear weapons. This is an indisputable and quite obvious fact which the Western Powers have not refuted; nor indeed could they do so. By its nature the question of the NATO multilateral nuclear force is, of course, a purely political question and cannot be considered otherwise.

The Soviet delegation, wishing to contribute to the progress of our discussion on the question of the non-dissemination of nuclear weapons, has today expressed its attitude towards the considerations put forward in this regard by the delegations of the United Arab Republic, India and some other non-aligned States. We think that it is important for the Committee to know the attitude of the delegations of the United States and the other Western Powers in regard to those considerations.

Now a few words on the question of what is called a controlled freeze of strategic nuclear delivery vehicles. We have shown at the previous session (ENDC/PV.184, pp. 35, 36) that this proposal (ENDC/120), which leaves untouched the whole arsenal of nuclear destruction accumulated by States, and consequently the menace of nuclear war as well, at the same time envisages the establishment of a wide-spread system of international control which, in conditions where no disarmament measures were being carried out, could be nothing else but an international intelligence system. We were told, however, that we should wait a while and the delegation of the United States would submit new proposals concerning verification of the fulfilment of an agreement to freeze strategic delivery vehicles, proposals which, they said, would eliminate any danger of espionage.

Now, after the somewhat lengthy statement made by the representative of the United States, Mr. Timberlake, on this question at our 211th meeting, we have merely received further evidence of how right we were. As Mr. Timberlake's statement showed, no new elements have been introduced into the actual substance of the United States proposal for a freeze of strategic nuclear delivery vehicle. It remains just the same as when it was submitted to us at the previous session: a proposal which does not envisage any measures of actual -- that is physical -- disarmament.

(Mr. Tsarapkin, USSR)

At the same time this proposal, as Mr. Timberlake himself has confirmed, is linked with the implementation of extensive measures of control (ENDC/134), of verification in respect of objects of exceedingly great importance from the standpoint of the defence interests of the State, and would lead to the establishment of control over practically the whole territory of the country. The demand to establish control in conditions where no disarmament measures at all are in existence is bound, of course, to give rise to cautionness and perfectly natural suspicion among the States in whose territories such control, such verification would be carried out.

The statement made by Mr. Timberlake at our 211th meeting confirmed once again that the United States proposal for a freeze of strategic nuclear delivery vehicles is in fact a direct substitution for disarmament of measures of control over existing armaments, and, in the first place, over those which form the basis of the defensive power of the USSR. It is self-evident that the Soviet Government, which bears the responsibility for ensuring the security of our country and which has commitments to ensure the security of other socialist countries, cannot agree to such proposals and will not agree to them.

Speaking of this, I take this opportunity to emphasize once again that the Soviet Union is ready to exert the utmost efforts towards reaching agreement on genuine measures for curbing the nuclear arms race and, above all, on those urgent questions for the solution of which the peoples are waiting, such as prevention of the further spread of nuclear weapons, prohibition of the use of such weapons, the establishment of denuclearized zones, the elimination of bomber aircraft, and the prohibition of underground tests of nuclear weapons.

Mr. DUMITRESCU (Romania) (translation from French): Allow me first of all to associate my delegation with the words of welcome addressed by those who have spoken before me to our co-Chairman, Mr. Foster, representative of the United States, on the occasion of his reappearance among us. I should also like to welcome the new representative of the United Kingdom, Sir Harold Beeley, and our colleague from Poland, Mr. Goldblat.

(Mr. Dumitrescu, Romania)

On behalf of the Romanian delegation, I should like to express a few considerations on the subject of the resolutions of the United Nations General Assembly concerning the problem of disarmament which have been transmitted to our Committee. In my opinion, the initiative taken by the delegations of the non-aligned countries in proceeding to a study of these important decisions is to be welcomed. The fact that our debates concerning this problem, which has become one of our agenda items, are tending, although we have little time left, to develop into a comprehensive study of all our activities shows plainly, I think, the importance as well as the timeliness of that initiative.

The Romanian delegation has studied very carefully the statements made by the speakers who have preceded me. In our opinion, the important documents which I have mentioned -- I refer to United Nations General Assembly resolutions 1722 (XVI), 1767 (XVII) and 1908 (XVIII) (ENDC/139) -- indicate quite clearly the spirit in which our negotiations should be conducted if we are to find, through common effort, mutually-acceptable measures for solving the problem of disarmament and, in particular, for eliminating the nuclear threat. It is all the more regrettable that once again we are not in a position to report to the United Nations General Assembly any progress towards the accomplishment of the task entrusted to us. In our view, until all delegations fully understand the necessity of acting in the spirit to which I have referred and in conformity with the principles of the United Nations Charter, it will be impossible for us to escape from the situation in which we still find ourselves.

I do not wish to repeat facts well known to us all concerning the complicated problem of general and complete disarmament and, of course, the elimination of nuclear delivery vehicles. Our discussions have brought out the undeniable fact that the Soviet proposals are based specifically on the desire to bring about a rapprochement of the present positions in the interests of peace and international security. But it cannot be said that our Western partners have made any such gesture, which is absolutely necessary if we are to find the key to this very complex problem, in the solution of which all countries have a common interest and, I might add, a common responsibility.

(Mr. Dumitrescu, Romania)

It goes without saying that all our future efforts must be directed towards this end. This implies, first and foremost, renunciation of every measure and every gesture which could further complicate the existing situation. For, as the President of the Council of State of the Romanian People's Republic said on the occasion of the twentieth anniversary of the Republic's national holiday:

"In the world today, with its highly complex problems, in which so much inflammable material has accumulated, there can be no better political counsellors than calm and wisdom, the solemn spirit of responsibility for the fate of the nations."

I should like now to speak briefly about resolution 1910 (XVIII), concerning the prohibition of nuclear weapon tests in all environments. I would remind you that last year, on the occasion of the signing of the Moscow Treaty, the Romanian Government expressed "its hope that the conclusion of the agreement would create favourable conditions in the banning of underground tests also". (ENDC/111/Rev.1) Although, as you know, the Moscow Treaty had salutary effects in reducing the danger to mankind caused by the pollution of the atmosphere by radioactive elements, it has not produced the same effects in regard to the cessation of the nuclear arms race. Unfortunately, these weapons continue to be improved and new stocks are still accumulating. The Romanian delegation shares the desire expressed here by many delegations that the sphere of application of the Moscow Treaty should be broadened until a basis acceptable to all has been reached: the cessation of all nuclear weapon tests.

I should like to turn now to the second problem calling for our attention: resolution 1909 (XVIII), concerning the convening of a conference for the purpose of signing a convention on the prohibition of the use of nuclear and thermonuclear weapons. Concern about the prevention of the use of weapons of mass destruction is nothing new, and I do not intend to enlarge upon this point. We find it present in the minds of many of the world's great thinkers. I shall quote only one author, whom I think nobody will reject. In his famous Lettres persanes, Montesquieu says:

"I am always fearful lest somebody should finally succeed in finding a more rapid way of killing men, and of destroying whole peoples and nations". (Letter 105, Rhédi to Uzbek, Venice)

(Mr. Dumitrescu, Romania)

And here is the reply:

"You say that you fear that somebody will invent a more cruel method of destruction than that now in use. But you are wrong. If such a deadly invention were discovered, it would soon be prohibited by the law of nations, and such a discovery would be consigned to oblivion by unanimous consent."

But, to come back to reality, that is precisely what is happening today. Throughout the world, in the General Assembly of the United Nations and in our Committee, the idea of liberating mankind from the unprecedented danger created by the very existence of nuclear weapons and continued increase in their number and power of destruction is making headway. Numerous statements referring to this state of affairs have been quoted which prove, I think, that a consensus of opinion on the matter exists.

I should merely like to refer to the statement of the representative of Ethiopia, the country which initiated the proposal that we are now considering. Ambassador Imru rightly emphasized the necessity of taking --

"... all necessary measures to protect mankind from the dangers of nuclear war until such time as nuclear weapons themselves shall have been completely eliminated ..." (ENDC/PV.209, p. 7).

As the representative of Mexico, Mr. Gomez Robledo, the Chairman of this meeting, also said, our task is not to cancel out

"... this formidable invention, which like all its fellows is irreversible, but to channel it along the path of welfare and progress ... This will not come about until the manufacture and use of nuclear weapons are absolutely outlawed; ..." (ENDC/PV.201, p.15)

The same concern is also shown in statements made by the representatives of India, the United Arab Republic, Nigeria and other States represented here, and has been strongly emphasized by the Third International Conference on the Peaceful Uses of Atomic Energy, which is being held at Geneva in this same building.

It goes without saying that the prohibition of the use of nuclear weapons would constitute an important step towards liberating a vast amount not only of economic resources but also of human efforts which could be devoted to peaceful uses. All this proves how timely would be the signing of a convention on prohibition of the use of nuclear weapons, and the convening of a diplomatic conference for the adoption of such a convention.

(Mr. Dumitrescu, Romania)

The Romanian Government's position with regard to these problems has been shown by the Romanian delegation's vote in favour of resolution 1653 (XVI) and 1909 (XVIII) relating to the prohibition of the use of nuclear weapons and the convening of an international conference for the signing of a convention to this effect.

I should like to recall that as early as 1957 the head of the Romanian delegation to the United Nations General Assembly stated:

"The humanitarian principles on which the Charter is based demand that the United Nations should exert every effort to advance progressively to the outlawing of atomic and thermonuclear weapons, their elimination from the arsenals of States, and general disarmament". (A/PV.689, para. 34)

In its reply to the questionnaire of the Secretary-General of the United Nations based on resolution 1653 (XVI), the Romanian Government, in pronouncing itself in favour of convening a conference for signing a convention on the prohibition of nuclear weapons, stated:

"The adoption by the General Assembly of resolution 1653 (XVI), in favour of which the delegation of the Romanian People's Republic voted, represents a positive step towards the settlement of a question that is vital to mankind and it responds to the desire of the peoples to remove for all times the danger of a devastating nuclear war. The use of weapons of mass destruction, such as nuclear and thermonuclear weapons, would clearly constitute a violation of the spirit, letter and aims of the United Nations Charter and of the rules of international law and would amount to a war against mankind.

"The prohibition of the use of atomic weapons by all States would correspond to the highest degree to the basic interests of peoples and would help to resolve the question of general and complete disarmament." (A/5174, annex II, p. 29).

It is in this spirit that the Romanian delegation supports the Ethiopian delegation's proposal that the Committee should recommend the United Nations General Assembly to convene a conference with a view to the signing of a convention

(Mr. Dumitrescu, Romania)

to prohibit the use of nuclear weapons, open to accession by all States. This would represent not only a tangible result of our activities, but also an important contribution by our Committee to the solution of the problems submitted to us.

Since during the present session certain legal objections have continued to be invoked against the proposed convention, and although Mr. Gomez Robledo, our Chairman, Mr. Goldblat, the head of the Polish delegation, and our co-Chairman Mr. Tsarapkin, have already answered these objections convincingly, I should like with your permission to deal briefly with this aspect of the problem.

In reality, current international law prohibits the use of all weapons of mass destruction and a fortiori nuclear weapons. This is also confirmed in resolution 1653 (XVI) of the United Nations General Assembly, in which it is expressly stated that the use of weapons of mass destruction is "contrary to the laws of humanity and to the principles of international law". International law has always, in fact, taken as its starting-point the principle expressed in article 22 of the Fourth Convention of the Second Peace Conference -- a convention referring to the laws and customs of land warfare -- namely that "The right of belligerents to adopt means of injuring the enemy is not unlimited".

To this can be added the idea contained in the so-called Martens clause, which states that

"Until a more complete code of the laws of war has been issued, the high contracting parties deem it expedient to declare that, in cases not included in the Regulations adopted by them, the inhabitants and the belligerents remain under the protection and the rule of the principles of the law of nations, as they result from the usages established among civilized peoples, from the laws of humanity, and the dictates of the public conscience." (Hague Convention, 1907 (IV), preamble)

I should also like to mention the Hague Declarations of 29 July 1899 relating to the prohibition of expanding bullets (IV, 3) and asphyxiating and deleterious gases (IV, 2); article 23 of the Fourth Convention of the Second Peace Conference of The Hague referring to the laws and customs of war (18 October 1907), which prohibits poisoned arms, and the Geneva Protocol of 17 June

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1925 for the prohibition of the use of asphyxiating, poisonous and bacteriological weapons -- the text of which, incidentally, upon the proposal of the United States delegation at that time, reproduced the text of article 5 of the Washington Treaty of 1922. It is true that this Protocol has not been ratified by all States. It has nevertheless exerted a beneficial influence on the behaviour of belligerents and, as far as I know, nobody has ever asserted that the Geneva Protocol was useless or dangerous.

The conclusion to be drawn from the facts which I have just recalled cannot be in doubt. If it was possible to prohibit the use of certain types of weapons in 1925, when the question of their abolition did not arise, it appears all the more possible today, when there seems to be unanimous agreement that nuclear weapons should not only be prohibited but completely eliminated from the arsenals of States. If chemical and bacteriological weapons are prohibited as weapons of mass destruction, it follows a fortiori that the use of nuclear weapons should also be prohibited -- weapons which are not only poisonous but the use of which runs counter to all basic principles of law because they do not allow any distinction to be made between combatants and non-combatants; because they endanger to the same extent all those in the area and vicinity of the place where the nuclear bomb explodes, including women, old people, children, the sick, and the maimed; and because they exclude any distinction between belligerent and neutral States, since in the event of a thermonuclear war the health and lives of the inhabitants of neutral States and of future generations are equally endangered.

Prohibition of the use of nuclear weapons is demanded not only by the principles of ethics and international legality, but also by the very reality of the present international situation. Nuclear weapons cannot guarantee security for any Power. We have often heard quoted here the words of leaders of Western States who recognize that the security of States -- including those which possess nuclear weapons -- diminishes in proportion as nuclear armaments increase. Furthermore, it is precisely the conviction that it is not by weapons but only by disarmament that the international security of all peoples can and must be ensured, which is the basis of the historic resolution 1378 (XIV) on general and complete disarmament which was adopted unanimously by the United Nations in 1959.

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The opponents of the prohibition of the use of nuclear weapons and of the convening of a conference to draw up an international multilateral treaty on that subject usually maintain that the use of nuclear weapons would be lawful if directed against an aggressor State. In refutation of that thesis, I should merely like to recall that every aggressor in history has claimed to be acting in self-defence. Twenty-five years ago Hitler tried to camouflage his plans to attack Poland by alleging aggression on the part of his victims.

Secondly, in the absence of a universally-accepted definition of aggression, there are fundamental differences of opinion concerning it. Some States assert that their security is endangered at a distance of thousands of miles from their frontiers, and claim that the military bases for strategic bombers which they have established in foreign territories are of a defensive nature. In such circumstances it is obvious that an aggressor could always claim that he was acting in self-defence and thus entitled to use nuclear weapons. It is true that the United Nations Charter does not indicate what weapons can be used by a State which is attacked when it exercises its right of self-defence; but that does not mean that a State which is defending itself is entitled, for example, to mutilate prisoners of war.

We do not share the pessimism of those who believe that no treaty of this kind would be respected. The law is not always obeyed at the domestic level; but the fact that thefts and murders are committed does not mean that the prohibition of such offences by law is a mistake.

Would the prohibition of the use of nuclear weapons lead to the legalization of aggression committed with conventional weapons? Certainly not. Aggression is prohibited. That is a general principle. The prohibition of nuclear aggression would only mean the application of this general principle to the specific case which is of the greatest importance at the present time.

In reality there are no valid arguments against the solemn proclamation, in a multilateral international treaty, of prohibition of the use of nuclear weapons -- which are equally prohibited by the dictates of reason, morality and international law. The usefulness of such a measure is obvious. By confirming and spelling out the fact that the use of nuclear weapons is prohibited, the States parties to the treaty -- and, as you know, the Soviet Union has declared itself ready to sign

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such a treaty if the other nuclear Powers also sign it -- would give a powerful impulse to efforts directed towards the implementation of general and complete disarmament, would take an important step in strengthening confidence in international relations, and would greatly contribute to relaxation of tension in those relations.

Similarly, an incentive for non-nuclear powers to try to obtain such weapons in any way possible, or to produce them, would disappear. This would also facilitate the application of other important measures for relaxing tension and bringing about disarmament, including the creation of denuclearized zones in various parts of the world. As is proved by the numerous proposals made in this connexion, these zones would not be spheres of influence of a particular Power either in Europe or elsewhere, but zones of peace and co-operation among nations regardless of their political and social systems.

In its desire to contribute to the establishment of such relations in the region of which it forms a part, the Romanian People's Republic has made the proposals with which you are familiar (ENDC/PV.168, pp. 15, 16) relating to the creation in the Balkans of a zone of peace and co-operation free from nuclear weapons and missiles. Closely linked to this scheme are the proposals made by the Romanian Government to the United Nations concerning measures to be taken at the regional level to improve neighbourly relations between European States with different social and political systems. This proposal is of course on the agenda of the nineteenth session of the United Nations General Assembly.

It is no doubt true that the prohibition of the use of nuclear weapons is not a panacea for all the ills which afflict relations among States today. The physical abolition of nuclear weapons, the abolition of nuclear delivery vehicles and the means of producing them, would of course be much more important than the prohibition of the use of such weapons. That does not detract from but enhances the usefulness of efforts in this direction, to say nothing of the far-reaching moral and legal effect which the solemn prohibition of the use of nuclear weapons would have on world public opinion.

Mr. KLUSAK (Czechoslovakia) (translation from Russian): First of all, I should like to associate myself with you, Mr. Chairman, and the preceding speakers in welcoming the new representatives of Poland, Mr. Goldblat, and of the United Kingdom, Sir Harold Beeley, and also the representative of the United States, Mr. Foster, who is again taking part in the work of the Committee.

At the meeting of our Committee held on 20 August the Czechoslovak delegation (ENDC/PV.209, pp. 15 et seq.) stressed the importance which it attaches to consideration of the resolutions of the United Nations General Assembly relating to the work of our Committee. In that connexion we supported the proposal sponsored by Ethiopia to convene an international conference for the purpose of signing of a convention on the prohibition of the use of nuclear weapons. The objections put forward by the Western Powers against the convening of a conference and the signing of a convention are not supported by any convincing arguments, as the statements of many delegations show. This merely confirms the conclusion that the Western Powers intend to oppose anything that might in any way impair their military and strategic concepts based on the use of nuclear weapons.

Today I should like first of all to set forth the position of the Czechoslovak delegation in regard to resolution 1910 (XVIII) on the prohibition of underground tests. Many delegations have pointed out that the Moscow Treaty (ENDC/100/Rev. 1) was merely a beginning which should be followed by other agreements, in particular an agreement banning all nuclear tests. This view is shared by our delegation. The representative of Italy need have no doubts about this quite definite position of ours.

We also agree with the view that the absence of an agreement on the prohibition of nuclear tests and the continuation of these tests underground can only have unfavourable consequences. For this reason we are firmly in favour of a ban on underground tests, which would crown the success of the Moscow Treaty. Given goodwill on the part of all the parties concerned, this measure could be implemented in a very short time. The present state of science and technology makes it possible to solve the problem of control, detection and identification, thus removing the main obstacle that had previously stood in the way of reaching agreement on the complete cessation of all nuclear tests. However, the Western Powers have so far lacked sufficient goodwill to make such an agreement possible.

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It is true that they acknowledge in words the importance of an agreement banning all nuclear tests, but at the same time, by putting forward unjustified demands in regard to control, they prevent any possibility of concluding such an agreement.

The allegation that national means of identification of all seismic events are inadequate, and the demand put forward on this basis for on-site inspection, are in the existing circumstances merely a pretext to cover up the unwillingness of the Western Powers to accept a general agreement to put an end to tests, and their desire to retain for themselves the possibility of continuing underground tests. After all the United States is now the only State that is still carrying out an extensive programme of underground tests.

We fully agree with the opinion expressed by the head of the Soviet delegation on 20 August that no special international control need be organized to detect underground tests any more than it is needed to detect tests in the atmosphere, in outer space and under water. (ENDC/PV.209, p. 28). Actual experience and the statements of a number of scientists of different countries, including Western countries, confirm that national means of detection and identification are fully adequate for effective and reliable control.

In the present circumstances it is for the Western Powers to reconsider their position on this question if they really wish to reach agreement. The position of the socialist countries in this regard is absolutely clear: they have already expressed on many occasions their readiness to conclude immediately an agreement banning all nuclear tests -- that is, underground tests as well -- under the same conditions as those laid down in the Moscow Treaty.

The United Nations General Assembly has urged the Eighteen-Nation Committee on Disarmament to devote increased attention to proposals for collateral measures (A/RES/1908(XVIII); ENDC/139). The urgency and importance of implementing collateral proposals for the further reduction of international tension, the strengthening of mutual confidence among States, the slowing of the arms race, and the creation of the conditions for the beginning of the actual process of disarmament, are recognized and stressed by all the States members of the Committee. Despite the existence of real possibilities for reaching agreement at least on some questions, we cannot fail to note that, in summing up the results of the work

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carried out by the Committee in respect of collateral measures, we are confronted with very unsatisfactory results. The Czechoslovak delegation, like the delegations of the other socialist States, has frequently pointed out in the Committee the true reasons for this situation.

In this connexion permit me to refer to some of the proposals that have been submitted, from the point of view of their importance for solving the basic question of general and complete disarmament -- the elimination of the danger of a thermonuclear war -- and also from the point of view of our specific concern to secure the accomplishment of this aim in Central Europe. For these two reasons we attach particular importance to the proposals which have a direct bearing on the problem of nuclear weapons and the implementation of which would have the immediate result of lessening the danger of an outbreak of nuclear war. To this category belong in the first place the proposals for the creation of denuclearized zones in various parts of the world, particularly in various parts of Europe; the proposal of the German Democratic Republic for the renunciation of nuclear weapons by the two German States (ENDC/133), the proposal for the withdrawal of foreign troops from the territories of other States, the conclusion of a non-aggression pact between the NATO countries and the Warsaw Treaty countries, the elimination of bomber aircraft, and measures to prevent the further spread of nuclear weapons (ENDC/123).

We attach particular importance to the solution of these problems, not only on account of the geographical position of Czechoslovakia, which lies in the very heart of Europe and thus is particularly interested in ensuring the security of this area, but also because, from the point of view of the possibility of an outbreak of a global thermonuclear conflict, Central Europe is one of the most vulnerable areas in the world. Thus our specific interest in the achievement of agreement on the proposals that have been submitted is fully in keeping with the basic aim of the disarmament negotiations. But this does not at all imply that we underestimate the importance of other realistic and effective proposals.

In concluding my statement today, I should like to revert to the question of measures to prevent the further spread of nuclear weapons. I do so for a number of reasons. First, because all delegations recognize the importance of adopting measures to prevent the further spread of nuclear weapons, and realize how

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dangerous would be the consequences of their dissemination to other States. The second reason is the extremely urgent need to adopt measures to prevent the further spread of nuclear weapons, because it is precisely in this sector that a continuing delay might lead us into a situation where it would be too late to adopt or carry out any measures of this kind.

Lastly, we cannot leave out of account the fact that this question directly affects all States. That this is really so has been shown by the animated discussion on this question which has taken place in the Committee, and also by the fact that almost all the delegations have clearly expressed their views on this subject, including the delegations of the non-aligned countries. Some of them, in particular the United Arab Republic (ENDC/PV.207, pp. 9 et seq.) and India (ENDC/PV.211, pp. 17, 18), have submitted new lead-giving proposals which are deserving of attention and which are unanimous in calling for immediate negotiations to enable us to reach agreement in the shortest possible time on effective measures to prevent the further spread of nuclear weapons.

The position of the Czechoslovak Socialist Republic in regard to the adoption of measures to prevent the further spread of nuclear weapons has been quite definite from the very beginning. This was already shown at the time of the discussion of the Irish resolution (A/RES/1665(XVI)) at the sixteenth session of the United Nations General Assembly. In conformity with this position the Czechoslovak delegation in this Committee has always supported any proposal aimed at solving this problem in a consistent manner.

This unambiguous position of ours fully explains also our attitude towards the plan for the creation of a NATO multilateral nuclear force. In our view the question of the creation of a multilateral nuclear force, as a form of dissemination of nuclear weapons, is essentially a question of a political nature. It requires a political decision of principle. The delegations of the socialist countries have demonstrated on the basis of numerous irrefutable facts that the plan to create a multilateral force is merely one of the possible forms of dissemination of nuclear weapons.

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It seems to us that the Western Powers are trying to take advantage of the fact that the so-called Irish solution does not spell out all possible forms of the transfer of control over nuclear weapons, in order to carry out measures that contravene the requirement to prevent the further spread of nuclear weapons. They try to argue that a multilateral nuclear force would not mean the transfer of nuclear weapons to the national control of individual States but to the joint control of all the States participating in the creation of such a force. Of course, attempts to take advantage of the so-called Irish resolution in this way are obviously contrary to elementary logic, to the general spirit of the resolution, and to the aims pursued by the General Assembly at the time of its adoption. It has already been pointed out here that the Irish resolution was adopted before the negotiations for the creation of a multilateral nuclear force were started, and that for this reason the question of the transfer of control was not specifically mentioned in it.

There can be no doubt, however, that, according to the interpretation of the authors of that resolution which was unanimously adopted by all the States members of the United Nations at the sixteenth session of the General Assembly, the resolution concerned all forms of dissemination of nuclear weapons. This is clearly shown by the reply of the Minister for External Affairs of Ireland, Mr. Aiken, to a question put by the representative of India. Among other things Mr. Aiken stated:

"The representative of India referred to one part of this draft resolution and observed that control was narrower than ownership. Actually, I think the word 'control' is wider because under this draft resolution non-nuclear States would undertake not to manufacture or otherwise acquire control, by ownership or by any other means, of such weapons". (A/C.1/PV.1209, p.36).

I emphasize the words: "by any other means".

An absolutely unambiguous position was taken in this regard by the representative of India, Mr. Nehru, when he said on 27 August:

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"Many developments have taken place since the Irish resolution was adopted, and it is clear to us that relinquishment of control should be interpreted today in the broadest possible sense so as to preclude the transfer of nuclear weapons to any non-nuclear Power, either under joint or under individual control". (ENDC/PV.211, p. 16)

In our opinion this is the only possible approach to all measures, both those adopted on the question of the non-dissemination of nuclear weapons in the past, and in particular those for the adoption of which efforts are now being made by all who are genuinely interested in really effective measures to prevent any further spread of nuclear weapons.

The essence of dissemination consists in other States being given access to nuclear weapons. The Western Powers try to prove that such dissemination would be dangerous only if nuclear weapons were under the direct national control of individual States. But what sort of logic is such an assertion based upon? Would the dangerous consequences of the dissemination of nuclear weapons be reduced as a result of several States being given access to nuclear weapons simultaneously, in the form of joint control?

The representative of Italy tried once again this morning to justify the creation of the NATO multilateral force. We have already pointed out several times that such attempts are unconvincing and futile. Therefore I should like to deal with only one argument to which the representative of Italy has reverted once again. If I understood him correctly from the interpretation, he again asserted, among other things, that the North Atlantic Treaty Alliance was organized in such a way that none of its member countries could act separately (Supra, p. 27). It seems to us that such an assertion sounds extremely odd, precisely at the present time when we still remember facts to which several representatives have referred quite recently, facts such as Turkey's use of its armed forces forming part of the NATO forces for aggressive actions against Cyprus.

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If measures to prevent the spread of nuclear weapons are to have any practical significance, if they are to be really effective, they must prevent access to these weapons by any more States, regardless of the form or the pretext under which such access is envisaged. The attempts which have recently been made by the representatives of certain Western Powers to justify the creation of the multilateral nuclear force by asserting that the Western European States wish -- or are even entitled -- to share in the control of nuclear weapons cannot alter the facts. On the contrary, they only corroborate still further our conviction that the multilateral nuclear force would actually lead to the dissemination of nuclear weapons.

To accept the aforesaid position of the Western Powers would be tantamount to throwing the doors wide open for the further unlimited spread of nuclear weapons. After all, the "desire" to share in the control of nuclear weapons might be expressed sooner or later by any State, and there is no doubt that "arguments" would always be found to prove the "right" to be given such control. The whole point of measures to prevent the further spread of nuclear weapons consists precisely in preventing such a development through the assumption, by the nuclear Powers and also by States not yet possessing nuclear weapons, of appropriate, absolutely identical and definite obligations. These obligations should make impossible the dissemination of nuclear weapons in any form or under any pretext whatsoever.

Any negotiations on measures to prevent the further spread of nuclear weapons should lead to the same goal. Moreover, it is obvious that such negotiations could fulfil their purpose only if, while they are taking place, no actions were carried out which would alter the existing situation in regard to access to nuclear weapons by any other States. The socialist countries have already stated a good many times, and they do so again today, that given these conditions they are prepared to begin such negotiations immediately.

Mr. FOSTER (United States of America): I should like to thank you, Mr. Chairman, for your words of welcome on my return; and my thanks go also to those other representatives who have welcomed me back. In my turn, I should like to extend my greetings to the new chief of the United Kingdom delegation, Sir Harold Beeley, and to congratulate Mr. Goldblat on his return and on his new position in our midst.

I have listened with great care to the many statements that have been made today. My delegation will study them. I shall not attempt to answer them in detail now, but I will make a few comments on particular points. I shall begin by referring to one of the statements made by our Soviet colleague, Mr. Tsarapkin.

Much of the discussion we have had has been concerned with reducing and controlling the nuclear threat. If we are ever to begin to bring the nuclear arms race under control, it is going to be necessary some time, somewhere, some day, for the Soviet Union to agree to halt the build-up of delivery vehicles for nuclear weapons. We hoped -- and we still hope -- that as we talked here about the goal which we are trying to reach, the Soviet Union would agree to halt the arms race. A great deal of time, thought and prayer has been put into the freeze verification statement (ENDC/134). Today the Soviet representative, in a very sweeping and, in my opinion, unfortunate statement, but without any specifics, dismissed the freeze verification proposal. I think there should be no doubt around this table about what this means, if indeed it be maintained: it means that the arms race will go on. The inspection suggestions we have made have been designed to meet many of the conditions which have been developed in this room; and I say again that we still hope that we can expect a more specific response at some point to those suggestions.

In our deliberations concerning the pertinent General Assembly resolutions (ENDC/139) to which our thoughts have been directed today, we should keep in mind the important goals of this Conference. A central goal is the prevention of nuclear war. As we look back twenty-five years to the beginning of the Second World War, we should ponder for a moment what a world war might be like today.

Today one nuclear weapon can contain more explosive force than all the bombs dropped in the Second World War. Today nuclear explosives can be delivered from one side of the world to the other in a matter of minutes. Today a nuclear exchange could kill 300 million people in the United States, in Western Europe and in the

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Soviet Union in an hour. We cannot prevent such a war by a simple statement of good intentions, as Mr. Burns has pointed out (ENDC/PV.209, p.39). That is why my country opposes the calling of a conference to prohibit the use of nuclear weapons.

We should all remember that the Second World War was preceded by the Kellogg-Briand Pact. The purpose of that agreement was to outlaw all war, just as the purpose of the Ethiopian proposals is to outlaw nuclear war. One could say that the road to the Second World War was littered with statements of good intentions which turned out to be largely worthless. Giving credence to the mistaken notion that nuclear war can be prevented by a declaration would move us no closer to disarmament. Raising false hopes that this threat could be eliminated so simply would not serve the cause of peace. Suggesting a measure which could reward potential aggressors because their victims let down their guard would not solve the problems of the world. Even Mr. Goldblat, the Polish representative, in his forceful maiden speech this morning, recognized that exclusive reliance on a convention such as he supported might produce a false sense of security.

It is the use of force for aggressive purposes, regardless of the type of weapons used, which poses the real threat to peace. This use of force is already prohibited by the United Nations Charter. At the outset of the nuclear age the United States tried to bring the atomic energy activities of all nations under effective international control. We offered in return to give up our monopoly of atomic weapons. This proposal was rejected by the Soviet Union. Having failed in that endeavour, we found it essential to be prepared for any attack.

The United States and its allies depend on nuclear weapons as a necessary deterrent against potential aggression. As such, these weapons are essential to the maintenance of the peace of all nations and the prevention of nuclear war anywhere in the world. Nobody at this table who thinks back to the critical days of October 1962 can have any doubt about the seriousness and the care with which my Government carries its nuclear responsibility. The United States needs no reminder of the consequences of a nuclear war.

A prohibition of the use of nuclear weapons, unaccompanied by a verified agreement to eliminate them, could not provide any real or lasting assurance against nuclear warfare. Today's Chairman, in his remarks as representative of Mexico, if I heard

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him correctly, made a similar point in concluding that this is not an opportune moment for convening a conference to outlaw nuclear weapons. As long as nuclear weapons exist in a divided world, how can anybody rest assured that an agreement to outlaw them would be observed if hostilities broke out? Chairman Khrushchev himself observed that there would be nothing to stop one side in a conflict, whether aggressor or victim, from using nuclear weapons as a last resort. Such realistic views of the situation led us from the beginning to oppose this resolution, and our position remains unchanged. We have instead proposed realistic, concrete and enforceable agreements to deal with the threat of nuclear war. We shall continue to urge their adoption.

My delegation agrees with the statement of the Ethiopian representative at our meeting of 20 August that a conference to outlaw nuclear weapons "would require the support of all States, and especially of those States which possess or are on the way to possessing nuclear weapons." (ENDC/PV.209, p.7). The refusal of my Government to attend such a conference has been clear since Secretary of State Rusk's 1962 reply to an inquiry by the Secretary-General. (A/5174, Annex II, p.78). To ask us, the representatives at this Conference, to agree upon another conference to deal with the control of nuclear weapons is to ask us to vote our lack of confidence in ourselves. My Government sees no advantage in convening a new conference to deal with this subject.

One way in which we can realistically hope to reduce the likelihood of nuclear war is by continuing our efforts to prevent the spread of nuclear weapons to nations which do not now have them. If we are concerned now about the danger of a nuclear holocaust when there are only four nuclear Powers, what will our concern be when there are five, ten or twenty?

A comprehensive test ban is one important way of dealing with this problem. As has been mentioned earlier today, it is the subject of another of the General Assembly's resolutions. The present test-ban Treaty (ENDC/100/Rev.1) makes it much more difficult for non-nuclear signatories to acquire nuclear capability, because it prohibits them from testing in the atmosphere -- the environment where testing is simplest, least expensive and most productive. A comprehensive ban would of course prevent all testing by signatories. It would thereby severely inhibit efforts by them to acquire the knowledge and the ability to make nuclear weapons. For that reason my Government believes that a verified agreement banning all nuclear weapon tests is an urgent necessity. The Committee will remember that President Johnson has twice this year proposed such a ban (ENDC/119, 120). Concerning that proposal I have three points to make

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First: since the limited nuclear test-ban treaty was signed, our scientists have continued to press forward with research into the problems of nuclear test detection and identification. My Government's Vela research programme (ENDC/45) costs more than \$50 million a year, and much of this is devoted to the detection and identification of underground nuclear tests. However, no technical advances have been reported by our scientists which would justify modification of the United States position that on-site inspections are essential. Therefore, the requirement for on-site inspection to verify compliance with a ban on underground nuclear tests still exists. We agree with the views on this subject which were expressed by Mr. Tahourdin on 20 August (ENDC/PV.209, pp. 11,12).

At the same meeting the representative of the Soviet Union said that it was possible to detect underground tests by distant devices (ibid., pp. 28, 29). Many such tests can be so detected; but that does not in any way solve the problem of determining which detected events are earthquakes and which are test explosions. That problem was recognized by Soviet and other scientists as early as 1958, when the first Conference of Experts met. We have been and are doing a great deal of research on this problem; but, I repeat, it is not yet solved.

Second: the Soviet Union has withdrawn the offer of two to three on-site inspections, made by Premier Khrushchev in a letter to President Kennedy on 19 December 1962 (ENDC/73). On 20 August the representative of the Soviet Union stated again that his Government was prepared to agree to a comprehensive test ban ---

"... without the establishment of international control but with the use of national means of detection for the verification of compliance with the agreement banning nuclear tests underground." (ENDC/PV.209, p.29)

We do not believe that this step backward by the Soviet Union can be justified on scientific or technical grounds. Indeed, the Soviet Government has not seen fit to share with other nations any new technical or seismological data which might conceivably support its present position.

Third. in view of the present state of scientific knowledge with regard to the detection and identification of underground tests, and the retreat of the Soviet Government from its previous position, we are frankly discouraged about the immediate prospects of achieving a comprehensive ban. The United States shares the sense of

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urgency on this subject expressed by the General Assembly. However, such an agreement must be effectively verified. We regret that the refusal of the Soviet Union to admit the necessity of some on-site inspection, coupled with its refusal to discuss the technical problems involved, is blocking progress in this field. I would, however, be delighted to meet the United Kingdom representative and the Soviet representative to discuss this subject during the recess, as the Nigerian representative suggested this morning.

While the prospects for prompt negotiation of a comprehensive treaty are not bright, there are many steps each of us could take to prevent the spread of nuclear weapons to additional nations. The United States has proposed a number of such other steps, including an agreement to carry out the Irish resolution (A/RES/1665 (XVI)). None of those steps is precluded by the proposal for a multilateral force, as some representatives have contended in the past and again here today. Nor is that proposal inconsistent with the Irish resolution itself. For that reason, as I believe Mr. Cavalletti made clear this morning, those participating in the discussions on the multilateral force have no intention of suspending those discussions.

One of our member Governments has just announced an action which serves the purpose of the Irish resolution and which should be acclaimed by all of us. I refer, of course, to the Government of India and to the statement which its representative made on 27 August:

"Although we are making rapid progress in the field of nuclear science and technology, the Government of India has taken a firm decision that in no circumstances will our nuclear capabilities be used for non-peaceful purposes. We have no intention of producing or acquiring nuclear weapons, irrespective of any action that any other country may take." (ENDC/PV.211, p.14)

That decision, publicly proclaimed, is an immense contribution to the efforts of all of us to prevent the spread of nuclear weapons to nations which do not now have them. We hope that all nations which seek peace will be inspired by the example of India. It is an admirable act of statesmanship. It reflects a policy of restraint which will conserve for the people of India the economic resources they need for further improvements in their way of life. My Government hopes that all of us will welcome India's example.

The CHAIRMAN (Mexico) (translation from Spanish): I call on the representative of Italy, who wishes to exercise the right of reply.

Mr. CAVALLETTI (Italy) (translation from French): We have heard several statements today, all worthy of our attention, but it is really too late to comment on them just now. I should merely like to make some very brief remarks on the Czechoslovak representative's statement.

Mr. Klusak drew attention to a passage in my speech which referred to the aims -- I repeat, the aims -- of NATO (supra, p. 59); and, viewing it in the light of certain recent events in Cyprus, he found those events in contradiction with those aims. Not having the verbatim record, Mr. Klusak naturally quoted me from memory. I would request him to read my statement in the verbatim record, and I hope he will realize that there was no contradiction.

Since I have the floor, I should also like to make some very brief comments on the statement made this afternoon by the Soviet representative. Mr. Tsarapkin touched on several subjects, notably a freeze of strategic nuclear delivery vehicles and a conference to prohibit the use of nuclear weapons. He said that our freeze proposal must be rejected because, even if it were accepted, nuclear armaments would remain intact. Yet at the same time he asserted that a prohibition of the use of nuclear weapons must be accepted.

According to Mr. Tsarapkin's reasoning, it would be logical to suppose that a prohibition of the use of nuclear weapons would lead to a reduction in their number. But that is clearly not the case. After such a decision, nuclear armaments would not merely remain intact, but they could also be increased. Hence there are considerable differences between a freeze and a prohibition of the use of nuclear weapons. With a freeze the arms race would be halted in one sector, the most dangerous nuclear weapons could not be increased, and in addition there would be effective guarantees. With a prohibition of the use of nuclear weapons, nuclear armaments could continue to multiply ad infinitum -- that would be especially probable in countries with closed régimes where armaments are developed in absolute secrecy.

For my part, I believe that it is through a radical solution of the cardinal issues that world peace must be ensured, not through undertakings to refrain from the use of nuclear weapons. These are not my words. They were uttered by Premier Khrushchev, and the Committee knows them already, because they were quoted by the United Kingdom representative at our meeting of 20 August (ENDC/PV.209, p.14).

The CHAIRMAN (Mexico) (translation from Spanish): I call on the representative of Poland, who wishes to exercise the right of reply.

Mr. GOLDBLAT (Poland): I wish to make only a brief clarification. I am afraid that my remarks have been somewhat misunderstood by the representative of the United States. To avoid any possible misinterpretation of our position, I shall therefore read out the relevant passage of my statement:

"The assertion that a convention prohibiting the use of nuclear weapons would engender a dangerous sense of false security would perhaps be pertinent if we had to renounce disarmament and rely exclusively on the convention. That is not the case, however, and the Western Powers are well aware of this. As the representative of Ethiopia rightly pointed out on 20 August:

"A ban on the use of nuclear weapons is obviously not a substitute measure but a preliminary step preparing the ground for their total destruction.'" (supra., p.32)

Sir Harold BEELEY (United Kingdom): I do not wish to prolong the meeting, but I cannot refrain from saying a brief word of thanks to you, Mr. Chairman, and my other colleagues for the welcome they have so kindly extended to me today.

In expressing my thanks, I should like at the same time to recall the profession of faith which was made to the Committee by my predecessor at the last meeting he attended (ENDC/PV.203, p.8). Although I speak without his long experience in these questions, I can already assure the Committee that, like him, I believe profoundly in the work we are here to do, and that I shall co-operate to the best of my ability in our common task.

The CHAIRMAN (Mexico) (translation from Spanish): Since there are no more speakers on my list, I shall read out the following communication which I have received:

"The delegation of the Union of Soviet Socialist Republics submits for the Committee's discussion on Thursday, 10 September 1964, the questions of the conclusion of a non-aggression pact between the NATO and the Warsaw Treaty countries and the withdrawal of foreign troops from the territories of other countries (ENDC/123)."

The Conference decided to issue the following communiqué:

"The Conference of the Eighteen-Nation Committee on Disarmament today held its 213th plenary meeting in the Palais des Nations, Geneva, under the Chairmanship of H.E. Ambassador Gomez Robledo, representative of Mexico.

"Statements were made by the representatives of Nigeria, Mexico, Italy, Poland, the Soviet Union, Romania, Czechoslovakia, the United States and the United Kingdom.

"The next meeting of the Conference will be held on Tuesday, 8 September 1964, at 10.30 a.m."

The meeting rose at 5.45 p.m.